

Please note: These transcripts are not individually reviewed and approved for accuracy.

BEFORE THE  
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

IN THE MATTER OF THE:                     )  
   )  
REGULAR MONTHLY BUSINESS                 )  
MEETING   )  
\_\_\_\_\_ )

DATE AND TIME:         WEDNESDAY, JUNE  
25, 1997  
                              9:30 A.M.

PLACE:                     PASADENA CITY  
HALL  
  
                              100 NORTH  
                              GARFIELD AVENUE  
                              ROOM 247  
                              PASADENA,  
CALIFORNIA

REPORTER:                 BETH C. DRAIN,  
RPR, CSR  
  
                              CERTIFICATE NO.  
7152

BRS FILE NO.:            39657

APPEARANCES

MR. DANIEL G. PENNINGTON, CHAIRMAN  
MR. ROBERT C. FRAZEE, VICE CHAIRMAN  
MR. WESLEY CHESBRO, MEMBER  
MS. JANET GOTCH, MEMBER  
MR. STEVEN R. JONES, MEMBER  
MR. PAUL RELIS, MEMBER

STAFF PRESENT

MR. RALPH CHANDLER, CHIEF EXECUTIVE OFFICER  
MS. KATHRYN TOBIAS, LEGAL COUNSEL

MS. MARLENE KELLY, BOARD SECRETARY

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HAZARDOUS WASTE ELEMENT FOR THE CITY OF CLOVIS,  
FRESNO COUNTY.

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ITEM 16: CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF SIDEWALK, FRESNO COUNTY.

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ITEM 25: CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE HOUSEHOLD

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ITEM 39: CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF SAN BARBARA, SANTA BARBARA COUNTY.

ITEM 40: CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE MARIN COUNTY HAZARDOUS AND SOLID WASTE MANAGEMENT AUTHORITY REGIONAL AGENCY AGREEMENT.

ITEM 41: CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE COUNTYWIDE SUMMARY PLAN AND THE COUNTYWIDE SITING ELEMENT FOR THE COUNTY OF SAN DIEGO.

ITEM 42: CONSIDERATION OF THE SISKIYOU COUNTY INTEGRATED WASTE MANAGEMENT REGIONAL AGENCY FORMATION AGREEMENT FOR UNINCORPORATED SISKIYOU COUNTY AND THE CITIES OF DUNSMUIR, MT. SHASTA, WEED, YREKA, MONTAGUE, FT. JONES, AETNA, DORRIS, AND TULELAKE.

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ITEM 44: CONSIDERATION OF A NEW SOLID WASTE FACILITY PERMIT FOR THE EDCO STATION, SAN DIEGO COUNTY.

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STAFF PRESENTATION	58
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ITEM 54: OPEN DISCUSSION

RECESS

1 PASADENA, CALIFORNIA; WEDNESDAY, JUNE 25, 1997

2 9:30 A.M.

3

4 CHAIRMAN PENNINGTON: GOOD MORNING AND  
5 WELCOME TO THE JUNE MEETING OF THE CALIFORNIA  
6 INTEGRATED WASTE MANAGEMENT BOARD. WOULD THE  
7 SECRETARY PLEASE CALL THE, ROLL.

8 BOARD SECRETARY: BOARD MEMBER CHESBRO.

9 BOARD MEMBER CHESBRO: HERE.

10 BOARD SECRETARY: FRAZEE.

11 BOARD MEMBER FRAZEE: HERE.

12 BOARD SECRETARY: GOTCH.

13 BOARD MEMBER GOTCH: HERE.

14 BOARD SECRETARY: JONES.

15 BOARD MEMBER JONES: HERE.

16 BOARD SECRETARY: RELIS.

17 BOARD MEMBER RELIS: HERE.

18 BOARD SECRETARY: CHAIRMAN PENNINGTON.

19 CHAIRMAN PENNINGTON: HERE. THERE'S A  
20 QUORUM PRESENT.

21 DO ANY BOARD MEMBERS HAVE ANY EX  
22 PARTE COMMUNICATIONS TO REPORT? I'LL START WITH  
23 MR. CHESBRO.

24 BOARD MEMBER CHESBRO: YES, MR.

CHAIRMAN.

25 I JUST HANDED OUT A LETTER FROM LEAGUE OF

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1 CALIFORNIA CITIES REGARDING WHATEVER THE  
2 LEGISLATIVE ITEM NUMBER IS, ITEM 13, SENATE BILL  
3 1066. AND I HAD HAD -- THAT'S SIGNED BY YVONNE  
4 HUNTER. I ALSO HAD ORAL EX PARTE COMMUNICATION  
5 WITH HER ON THAT BILL.

6 ALSO A LETTER FROM MYRON AMARENE  
7 REGARDING ITEM 11, AND A LETTER FROM SWANA AND  
8 CSAC REGARDING SENATE BILL 1179, WHICH I DON'T  
9 THINK IS ON THE AGENDA. BUT ANYWAY, THOSE ARE THE  
10 ONES I HAVE WRITTEN DOWN HERE.

11 CHAIRMAN PENNINGTON: MRS. GOTCH.

12 BOARD MEMBER GOTCH: I RECEIVED THE SAME  
13 THREE LETTERS.

14 CHAIRMAN PENNINGTON: MR. JONES.

15 BOARD MEMBER JONES: SAME LETTERS. AND  
16 SAID GOOD MORNING TO SOME OF THE FOLKS IN THE  
17 AUDIENCE, BUT THAT WAS IT.

18 CHAIRMAN PENNINGTON: MR. RELIS.

19 BOARD MEMBER RELIS: A SHORT DISCUSSION  
20 WITH MR. EDGAR, SB 1330. AND LET'S SEE. I THINK  
21 IF WE COULD EX PARTE THOSE LETTERS FOR ALL OF US,  
22 JUST --

23 CHAIRMAN PENNINGTON: CERTAINLY. YES.

24 WE'LL ENTER THEM ALL INTO THE RECORD. MR. FRAZEE.

25 BOARD MEMBER FRAZEE: THE ONLY THING



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1 OTHER THAN THE INDICATED THREE LETTERS WAS A BRIEF  
2 CONVERSATION WITH CHUCK WHITE OF WMX.

3 CHAIRMAN PENNINGTON: OKAY. AND I HAD  
4 SOME E-MAILS ON ITEM NO. 11 FROM WALT SAFER,  
5 REINHARDT HOWELL, MICKEY MARCELLO, JACQUELINE  
6 GARBER, MARIAN AMBERS, BILL DEAN, JIM AND KATHY  
7 HAGER-SMYTHE, AND GREG NEAL, AND THERE MAY HAVE  
8 BEEN OTHERS THAT WERE ON MY E-MAIL SINCE I LEFT,  
9 ALL THE DEALING WITH ITEM NO. 11. ALSO TALKED TO  
10 DENISE DELMATIER ABOUT THE LEGISLATION. I TALKED  
11 TO RAY LISK ABOUT ITEM 51. I'VE TALKED TO YVONNE  
12 HUNTER AND RECEIVED A COPY OF THE LETTER THAT'S  
13 ALREADY IN THE RECORD ON LEGISLATION. I SPOKE  
14 WITH EVAN EDGAR. I THINK THAT COVERS IT. OKAY.

15 SPEAKER REQUEST FORMS ARE OVER HERE  
16 BY THE DOOR AS YOU COME IN ON YOUR RIGHT. IF  
17 ANYBODY WISHES TO ADDRESS THE BOARD ON ANY  
18 PARTICULAR ITEM, PLEASE FILL OUT ONE AND HAND IT  
19 TO OUR SECRETARY, MS. KELLY, WHO WILL MAKE SURE  
20 THAT I GET THAT, AND WE'LL MAKE SURE YOU GET  
21 CALLED.

22 I HAVE A FEW ANNOUNCEMENTS. A FEW  
23 ANNOUNCEMENTS ABOUT THE BOARD AGENDA. ITEMS 48,  
24 50, 53 HAVE BEEN PULLED FROM TODAY'S AGENDA. ITEM  
25 51 WILL BE HEARD ON THURSDAY AT 9:30 IN THIS SAME

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1 LOCATION. ITEM 54 WILL BE HEARD FOLLOWING ITEM 6  
2 THIS MORNING. AND THERE WILL BE A RECEPTION THIS  
3 EVENING AT 5:30 -- FROM 5:30 TO 7:00 AT THE  
4 PASADENA HILTON.

5 WE ALSO HAVE TWO EXECUTIVE SESSIONS  
6 SCHEDULED THIS MORNING. WE WILL HAVE ONE  
7 FOLLOWING LOCAL PRESENTATIONS, AND THEN WE'LL HAVE  
8 ANOTHER ONE FOLLOWING OUR DAY'S MEETING, ALL  
9 DEALING WITH PERSONNEL AND LEGISLATIVE ITEMS.

10 BOARD MEMBER CHESBRO: CAN I JUST MENTION  
11 AT THIS POINT THAT THERE'S A CONSENT ITEM THAT I  
12 INTEND TO PULL OUT, JUST TO GIVE YOU WARNING.  
13 ITEM 13(G), SB 1066, JUST TO AMEND THE COMMITTEE'S  
14 RECOMMENDATION.

15 CHAIRMAN PENNINGTON: OKAY. FINE. FINE.  
16 MOVING ALONG TO LOCAL PRESENTATIONS, WE HAVE MR.  
17 BILL CROWFOOT, WHO IS THE VICE MAYOR OF THE CITY  
18 OF PASADENA. MORE IMPORTANTLY THOUGH, HE'S A  
19 COUSIN TO MY ADVISOR, LEW HASTINGS, AND SO HE'S  
20 PART OF THE FAMILY. GOOD MORNING, MR. CROWFOOT.

21 MR. CRWOFOOT: GOOD MORNING, CHAIRMAN  
22 PENNINGTON, MEMBERS OF THE BOARD. THE REASON I'M  
23 HERE TO WELCOME YOU THIS MORNING, OF COURSE, IS  
24 NOT JUST BECAUSE MY COUSIN LEW IS HERE, WHOM I  
25 HAVEN'T SEEN FOR ABOUT A THOUSAND YEARS. AS THE

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1 CHAIRMAN --

2 CHAIRMAN PENNINGTON: HE LOOKS LIKE IT  
3 TOO.

4 MR. CROWFOOT: I LOOK LIKE IT. I DON'T  
5 KNOW ABOUT LEW. I DON'T KNOW WHAT HE'S BEEN DOING  
6 UP IN THERE IN SACRAMENTO. THANK YOU VERY MUCH  
7 FOR COMING TO HAVE YOUR MEETING THIS MONTH IN  
8 PASADENA.

9 ON BEHALF OF THE MAYOR, CHRIS  
10 HOLDEN, AND MY COLLEAGUES ON THE CITY COUNCIL, I'D  
11 LIKE TO WELCOME YOU TO OUR CITY. AND I'M GLAD  
12 THAT YOU'VE SPENT OR WILL HAVE SPENT OVER ABOUT  
13 THREE DAYS HERE. I HOPE YOU SPEND A GREAT DEAL OF  
14 YOUR MONEY IN OUR RESTAURANTS AND IN OUR STORES  
15 BECAUSE WE DO STILL HAVE A POINT OF SALE TAX  
16 SYSTEM IN THIS STATE AND WE APPRECIATE YOUR  
17 PATRONAGE.

18 JUST ABOUT EVERYBODY KNOWS A LITTLE  
19 BIT ABOUT PASADENA. JUST ABOUT EVERYBODY AROUND  
20 THE WORLD KNOWS ABOUT A SLIVER OF PASADENA'S LIFE,  
21 WHICH IS, OF COURSE, THE PARADE THAT OCCURS ON NEW  
22 YEAR'S DAY. MOST CALIFORNIANS HAVE SOME SENSE OF  
23 PASADENA AS A CITY OF TRADITIONS AND BIG HOUSES  
24 AND WEALTH AND ALL OF THE REST. BUT THAT PICTURE  
25 OF PASADENA IS NOT ENTIRELY AN ACCURATE ONE

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1 ANYMORE.

2 ONE THINKS OF PASADENA AS A CITY OF  
3 TRADITIONS AND OF THE PAST. IN FACT, ONE OUGHT TO  
4 START THINKING ABOUT PASADENA AS A CITY OF THE  
5 FUTURE.

6 IN ANTICIPATION OF THE PRESIDENT'S  
7 SPEECH LAST WEEKEND IN SAN DIEGO ON OUR FUTURE AS  
8 A NATION AS A MULTICULTURAL, MULTIRACIAL, DIVERSE  
9 NATION. IN ANTICIPATION OF THAT, THE COX  
10 NEWSPAPER CHAIN'S PRESIDENTIAL POLITICS REPORTER  
11 DID A NATIONWIDE SEARCH TO FIND A PLACE IN THE  
12 COUNTRY WHERE HE COULD GO AND DO A PROFILE OF WHAT  
13 A CITY TODAY LOOKS LIKE THAT IS THE HARBINGER OF  
14 WHAT THE COUNTRY AS A WHOLE WILL LOOK LIKE 50  
15 YEARS FROM NOW.

16 AND HE CHOSE PASADENA AND SPENT  
17 THREE DAYS HERE DOING HIS REPORTING. AND WHAT IT  
18 CAME DOWN TO IN HIS MIND AND AS WE ALL TALKED TO  
19 HIM WAS THAT IN THIS CITY WE PAY ATTENTION TO THE  
20 DETAILS OF A LIVABLE COMMUNITY. IN PASADENA  
21 EVERYBODY LIVES ALL MIXED UP TOGETHER, AND WE HAVE  
22 TO SOLVE OUR PROBLEMS ALL MIXED UP TOGETHER. I'M  
23 SHARING THIS WITH YOU, ALTHOUGH IT'S OFF THE POINT  
24 OF SEWERS AND ALL THAT KIND OF STUFF, BECAUSE I  
25 KNOW JANE HINSHAW FROM OUR CITY STAFF WILL DO A



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1       MUCH BETTER JOB OF GETTING IT ON THE POINT, BUT  
2       I'M SHARING THAT WITH YOU BECAUSE YOU ALL GO BACK  
3       TO SACRAMENTO, AND FOUR OF YOU HAVE BEEN APPOINTED  
4       BY THE GOVERNOR.

5                       AND THE POINT THAT I'D LIKE YOU AT  
6       SOME POINT TO TAKE BACK TO THE GOVERNOR IS THAT  
7       POLITICAL DIVISIVENESS IN OUR STATE, ETHNIC AND  
8       RACIAL AND SOCIAL DIVISIVENESS IN OUR STATE, FOR  
9       THE SAKE OF WINNING STATEWIDE ELECTIONS, IN THE  
10      END IS NOT GOOD FOR CALIFORNIA.  THIS CITY  
11      REJECTED 209; THIS CITY REJECTED 187.  THIS CITY  
12      HAS FOUND A WAY FOR ALL OF ITS PEOPLE TO WORK  
13      TOGETHER ON THE ISSUES RELATED TO THEIR STREETS,  
14      THEIR HOMES, THEIR SCHOOLS, CITY HALL, WHAT HAVE  
15      YOU, THAT BY FORCING US ALL TO COME TO COMMON  
16      SOLUTIONS IN EFFECT FORCES US TO DEAL WITH EACH  
17      OTHER'S HUMANITY.

18                      SO I HOPE ONE THING THAT YOU WILL  
19      TAKE BACK TO SACRAMENTO IS SOME SENSE OF HAVING  
20      BEEN SOMEWHERE WHERE THINGS DO WORK, WHERE THE  
21      FUTURE OF CALIFORNIA IS AT WORK TODAY IN A WAY  
22      THAT WE CAN ALL BE PROUD OF.  AND SO THANK YOU  
23      VERY MUCH FOR COMING HERE.  I HOPE YOU ENJOY YOUR  
24      STAY IN PASADENA AND DO LOTS OF GOOD, PRODUCTIVE  
25      BUSINESS.  AND COME BACK AGAIN SOMETIME.  THANK

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1       YOU.

2                   CHAIRMAN PENNINGTON:   THANK YOU.   AND  
3       THANK YOU FOR HAVING US IN YOUR CITY AND FOR  
4       LETTING US USE YOUR LOVELY CHAMBERS HERE.   I KNOW  
5       I'VE BEEN HERE SINCE SATURDAY BECAUSE I WAS  
6       FORTUNATE ENOUGH TO GO TO THE RACE IN FONTANA, SO  
7       I'VE ENJOYED MY FOUR OR FIVE DAYS HERE.

8                   BOARD MEMBER CHESBRO:   MR. CHAIRMAN.

9                   CHAIRMAN PENNINGTON:   YES, MR. CHESBRO.

10                  BOARD MEMBER CHESBRO:   I WANTED TO MAKE  
A

11       COUPLE OF COMMENTS.   EVEN THOUGH I'VE TOUTED  
12       MYSELF AS BEING FROM ARCATA WHERE I LIVED MOST OF  
13       MY ADULT LIFE, I WENT TO HIGH SCHOOL JUST ACROSS  
14       THE BORDER IN SOUTH PASADENA, AND THIS IS WHERE I  
15       GREW UP.   AND IT'S VERY NICE TO BE IN PASADENA.  
16       IT'S A GREAT TOWN, ONE THAT I'M VERY PROUD OF  
17       BEING FROM.   I THINK IT'S A BEAUTIFUL CITY AND  
ALL

18       OF THE ATTRIBUTES THAT HAVE BEEN MENTIONED I CAN  
19       VOUCH FOR.   THERE'S A LONG HISTORY OF BOTH THE  
20       QUALITY OF LIFE AND ALSO I THINK LEARNING TO LIVE  
21       TOGETHER AS A COMMUNITY.

22                   ALSO, I HAD THE PLEASURE YESTERDAY,  
23       MAYBE -- I HOPE I'M NOT STEALING THE CITY STAFF'S  
24       THUNDER HERE.   I'LL CUT IT SHORT IF I AM -- BUT I

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25 HAD A CHANCE -- I'LL SAY IT REAL BRIEFLY. I HAD  
A

1 CHANCE TO LOOK AT THE ARROYO RESTORATION PROJECT,  
2 WHICH IS A PLACE WHERE I USED TO RIDE MY BIKE UP  
3 AND SLIDE DOWN UNDER THE SUICIDE BRIDGE THERE. WE  
4 DON'T CALL IT SUICIDE BRIDGE ANYMORE, DO WE?  
5 THAT'S NOT POLITICALLY CORRECT. AND THAT WAS ONE  
6 OF MY FAVORITE PLACES AS A KID.

7 AND THEY'RE RESTORING MUCH OF THE  
8 NATURAL HABITAT. AND ONE OF THE -- HOW IT TIES  
9 INTO OUR WORK IS THAT THEY'RE USING MULCH THAT IS  
10 MADE FROM URBAN TREE TRIMMINGS AND BLOW DOWNS FROM  
11 STORMS AND THAT SORT OF THING TOO. AND IT ALSO  
12 TIES IN WITH US BECAUSE THE OAKS THAT HAVE BEEN  
13 PLANTED THERE WERE RAISED IN THE BFI NURSERY WHICH  
14 WAS TO MITIGATE THE -- SOME OF YOU MAY REMEMBER,  
15 I'M SURE, PAUL, THE PAINFUL VOTE TO ALLOW THE  
16 LANDFILL TO COVER UP THAT OAK FOREST IN SUNSHINE  
17 CANYON.

18 WELL, THE MITIGATION PROJECT,  
19 PASADENA AS BEING THE RECIPIENT OF THE BENEFITS OF  
20 THAT MITIGATION, AND THERE'S A WHOLE OAK FOREST  
21 THAT'S BEING PLANTED DOWN IN THE CANYON OF THE  
22 ARROYO SECO. AND SO IT WAS A GREAT LITTLE TOUR,  
23 BOTH FOR PERSONAL HISTORY REASONS, BUT ALSO TO SEE  
24 THE ENVIRONMENTAL WORK THAT'S BEING DONE BY THE  
25 CITY. SO I WANTED TO MENTION THAT AS WELL AND

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1 CONGRATULATE THE CITY ON THAT PROJECT.

2 CHAIRMAN PENNINGTON: VERY GOOD. NEXT  
3 WE'LL HEAR FROM JANE HINSHAW, SUPERVISOR OF PUBLIC  
4 WORKS, CITY OF PASADENA.

5 MS. HINSHAW: GOOD MORNING. I MIGHT  
6 CAUTION YOU AGAINST TALKING ABOUT RIDING YOUR  
7 BICYCLE IN THAT AREA BECAUSE THAT'S A POLITICALLY  
8 SENSITIVE ISSUE RIGHT NOW.

9 BOARD MEMBER CHESBRO: ROSA TOLD ME, BUT  
10 LET ME REST YOU ASSURED, LET ME TELL YOU THAT WAS  
11 30 YEARS AGO, 35 YEARS AGO.

12 MS. HINSHAW: WE'RE JUST CONCERNED ABOUT  
13 PUTTING A BIKE PATH IN THAT AREA AND MAKING SURE  
14 ALL THE USES FOR THAT AREA ARE COMPLETE AND MAKING  
15 EVERYBODY HAPPY.

16 SO I AM JANE HINSHAW. I'M A PUBLIC  
17 WORKS SUPERVISOR HERE IN PASADENA, AND I'D LIKE TO  
18 TAKE THIS OPPORTUNITY TO ALSO INTRODUCE YOU TO OUR  
19 NEW STREET MAINTENANCE AND INTEGRATED WASTE  
20 MANAGEMENT ADMINISTRATOR, JIM BERRYHILL. HE'S  
21 JUST COME ON BOARD WITH US, AND SO WE'RE EXCITED  
22 THAT HE'S HERE NOW IN PASADENA.

23 I'D LIKE TO ALSO OFFER MY SERVICES  
24 IN ANSWERING ANY QUESTIONS THAT YOU MIGHT HAVE OR  
25 HELPING YOU TO MAKE CHOICES ABOUT THE HUNDREDS OF



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1 RESTAURANTS THAT WE HAVE HERE IN PASADENA BECAUSE  
2 WE DO OFFER QUITE A FEW, AND ANYTHING THAT I CAN  
3 DO TO MAKE YOU MORE COMFORTABLE IN YOUR TWO-DAY  
4 STAY HERE, PLEASE LET ME KNOW.

5 PASADENA IS WHAT WE CALL A WORLD  
6 CLASS CITY AND FOR OBVIOUS REASONS. YOU'VE  
7 PROBABLY WATCHED THE WORLD CUP AND NOTED THAT IT  
8 WAS IN LOS ANGELES, BUT IT WAS REALLY IN PASADENA,  
9 WHICH IS KIND OF A SORE SUBJECT WITH US. AND  
10 EVERY YEAR WE HAVE A ROSE PARADE AND WE INVITE THE  
11 WORLD INTO OUR COMMUNITY TO WATCH WHAT HAPPENS IN  
12 PASADENA.

13 THIS COMMUNITY IS EXTREMELY DIVERSE.  
14 AND WHEN YOU START THINKING ABOUT DOING THINGS  
15 LIKE PLANNING A CURBSIDE RECYCLING PROGRAM, YOU  
16 REALIZE HOW DIVERSE THIS COMMUNITY IS. WE HAVE  
17 TOPOGRAPHY THAT'S EXTREMELY DIVERSE. WE HAVE  
18 LITTLE WINDING, NARROW DRIVEWAYS THAT WE CALL  
19 STREETS JUST WEST OF HERE IN THE HILLS, AND WE  
20 HAVE BIG WIDE OPEN, VERY LARGE RAMBLING  
21 BOULEVARDS, LIKE ORANGE GROVE BOULEVARD, THAT WE  
22 HAVE ALL IN ONE COMMUNITY. WE HAVE A VAST RANGE  
23 OF INCOME LEVELS. JUDGE ITO DOES LIVE IN  
24 PASADENA, AND AS DO A LOT OF THE REST OF US, AND  
25 WE HAVE A VARIETY OF CULTURAL BACKGROUNDS. WE

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1 HAVE A VERY LARGE ARMENIAN POPULATION HERE IN  
2 PASADENA.

3 MANY OF THE OUTREACH MATERIALS THAT  
4 WE DO ARE ACTUALLY PRINTED IN ENGLISH, SPANISH,  
5 AND ARMENIAN, WHICH IS FAIRLY UNUSUAL. WE ENJOY  
6 THESE CHALLENGES THOUGH. AND THIS MORNING WHAT  
7 I'D LIKE TO DO IS POINT OUT A COUPLE OF THINGS  
8 THAT WE'VE DONE IN PASADENA TO TRY AND DO THINGS  
9 DIFFERENTLY AND TO TRY AND MEET THOSE CHALLENGES  
10 THAT THIS DIVERSITY OFFERS US.

11 IF YOU WILL NOTICE IN YOUR LITTLE  
12 PACKET OF GOODIES THAT WE'VE PROVIDED YOU, WE'VE  
13 GIVEN YOU A BUTTON DONE WITH A ROSE ON IT. SOME  
14 OF YOU MAY NOT HAVE A ROSE, BUT IT HAS SOME KIND  
15 OF FLOWER ON IT. THIS GIFT THAT WE'VE GIVEN YOU  
16 IS A BUTTON THAT'S MADE FROM A RECYCLED FLOWER  
17 CATALOG, ONE OF THOSE MAIL ORDER CATALOGS THAT  
YOU

18 GET THAT MANY OF US WOULD JUST THROW AWAY.  
19 PASADENA RECYCLES THOSE AS PART OF OUR GREETING  
20 CARD RECYCLING PROJECT.

21 IN EVERY SINGLE LIBRARY IN  
PASADENA,

22 WE HAVE A GREETING CARD COLLECTION BOX WHERE WE  
23 COLLECT THOSE GREETING CARDS AND WE REUSE THEM  
IN

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24       ART AND CRAFT PROJECTS, AND WE MAKE BOOK

COVERS,

25       AND WE MAKE BOOKMARKS, AND WE MAKE BUTTONS, AND  
WE

1 MAKE ALL KINDS OF THINGS THAT ARE AIMED AT  
2 RECYCLING, BUT THEY'RE ALSO AIMED AT GETTING  
3 PEOPLE TO THINK A LITTLE MORE CREATIVELY ABOUT  
4 REUSE, REDUCTION, RECYCLING, AND OTHER KINDS OF  
5 THINGS LIKE THAT.

6 WE ARE LIKE MANY OTHER COMMUNITIES,  
7 AND WE'RE SEEING DWINDLING RESOURCES AT OUR  
8 FINGERTIPS. IN PASADENA WE HAVE OUR OWN UTILITY,  
9 OUR OWN ELECTRIC UTILITY, THAT'S UNDERGOING THE  
10 DEREGULATION PROCESS AS WE TRY AND COMPETE FOR  
11 BUSINESSES AS WELL. THAT FORCES ALL OF US TO  
12 ACCEPT THE FACT THAT WE WILL HAVE DWINDLING  
13 RESOURCES AND FEWER FINANCIAL AND STAFF RESOURCES  
14 AVAILABLE TO US TO DO THESE KINDS OF THINGS. AND  
15 PASADENA IS NOT ALONE. EVERY COMMUNITY IS  
16 EXPERIENCING THESE KINDS OF PROBLEMS.

17 HOWEVER, WHAT I THINK THIS MEANS IS  
18 THAT WE NEED TO START THINKING OUTSIDE OF THE BOX.  
19 AND THAT MEANS THAT WE NEED TO COME UP WITH THINGS  
20 THAT MAY NOT GENERATE THE TRADITIONAL FORMS OF  
21 RECYCLING, OF SOURCE REDUCTION THAT MIGHT GET US  
22 OUTSIDE AN AREA AND HAVE BENEFITS THAT WE DON'T  
23 ACTUALLY FORESEE AT THIS MOMENT IN TIME.

24 PASADENA WAS FORTUNATE ENOUGH TO  
25 ENJOY THE PAST YEAR HAVING A CURBSIDE CONTRACT

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1        THAT COST THE CITY NOTHING, AND WE ACTUALLY GOT  
2        PAID FOR THE RECYCLING -- FOR THE RECYCLABLE  
3        MATERIALS. UNFORTUNATELY THE MARKETS HAVE NOT  
4        BEEN THAT GREAT, SO WE HAD TO GO BACK OUT TO BID  
5        AGAIN. WE COULDN'T MAINTAIN THAT CONTRACT LEVEL,  
6        BUT THE BIDS THAT HAVE COME IN SHOW THAT IT WILL  
7        PROBABLY BE UNDER 75 CENTS PER HOUSEHOLD TO HAVE  
8        CURBSIDE RECYCLING IN PASADENA. THAT'S PRETTY  
9        UNUSUAL IN THIS DAY AND AGE.

10                    AND I THINK THAT THE MORE WE TRY AND  
11        WORK THOSE KINDS OF ARRANGEMENTS WHERE THINGS ARE  
12        A LITTLE BIT DIFFERENT THAN USUAL, THE MORE  
13        SUCCESS WE'LL SEE IN THIS AREA. WHAT WE'RE FACED  
14        WITH NOW IS THAT WE'RE PRETTY GOOD AT RESIDENTIAL  
15        RECYCLING, AND WE NEED TO GO A LOT FURTHER IN  
16        COMMERCIAL RECYCLING, WHICH IS PRETTY MUCH THE  
17        STATE OF THE STATE.

18                    IN PASADENA MOST OF OUR BUSINESSES  
19        ARE SMALL RETAIL, OR WE HAVE A LARGE MAKEUP OF  
20        THAT TYPE OF BUSINESS, AND THEY TRADITIONALLY HAVE  
21        BEEN HARDER TO REACH BECAUSE OF THE NATURE OF  
22        THEIR BUSINESS, THE PRESSURES THAT THEY HAVE TO  
23        CONDUCT BUSINESS. WHAT WE SEE IS HAVING TO LOOK  
24        AT NEW AND CREATIVE WAYS OF REACHING THOSE PEOPLE  
25        AND PROVIDING THEM WITH OPTIONS, MAYBE SIMILAR TO



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1       WHAT WE'VE PROVIDED TO OUR RESIDENTIAL PEOPLE,  
2       THINGS LIKE VARIABLE REFUSE RATES WHERE THERE ARE  
3       FINANCIAL INCENTIVES FOR DOING THINGS DIFFERENTLY.

4                       FINALLY, WHAT I'D LIKE TO ENCOURAGE  
5       YOU TO DO IS WHILE YOU'RE HERE IN PASADENA, SEE IF  
6       YOU CAN'T MOVE AROUND THE CITY AND TAKE A LOOK AT  
7       ALL THE DIFFERENT KINDS OF THINGS THAT PASADENA  
8       HAS TO OFFER. IF YOU HAPPEN TO BE IN MY  
9       NEIGHBORHOOD TODAY, YOU WILL NOTICE ALL THE BLUE  
10      BOXES OUT AT THE CURB FOR RECYCLING.

11                      YOU ALSO KNOW THAT WE HAVE AN  
12      ANTISCAVENGING PATROL SERVICE THAT'S GOING AROUND  
13      FULL TIME, MONITORING THE SCAVENGING THAT GOES ON  
14      IN THE CITY, WORKING HAND IN HAND WITH OUR POLICE  
15      DEPARTMENT, WHICH WAS DIRECTLY IN RESPONSE TO  
16      RESIDENTS SAYING WE NEED TO DO SOMETHING ABOUT  
17      THIS. AND BY BEING ABLE TO NEGOTIATE A LOWER  
18      CURBSIDE CONTRACT, WE HAVE BEEN ABLE TO OFFER  
19      THOSE SERVICES AS WELL TO RESIDENTS, AND THEY'RE  
20      VERY PLEASED WITH THE RESULTS.

21                      OUR NEXT BIG THING IS LOOKING AT  
22      PROP 218, COMING TO A LOCAL COMMUNITY NEAR YOU  
23      SOON, AND SEEING HOW THAT WILL AFFECT FUTURE  
PLANS

24      THAT WE HAVE TO CONTINUE TO MOVE TOWARDS THE

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GOAL

25 OF ACHIEVING 50 PERCENT.

1                   AGAIN, I'D LIKE TO WELCOME YOU TO  
2           PASADENA AND THANK YOU FOR PICKING PASADENA AS  
3           YOUR LOCATION FOR TODAY.  AND WE'VE TRIED TO MAKE  
4           SURE THAT THE JUNE GLOOM GOES AWAY SO BY LUNCHTIME  
5           YOU'LL HAVE A NICE DAY TO ENJOY HERE.  SO IF YOU  
6           HAVE ANY QUESTIONS, I'D BE HAPPY TO ANSWER THEM,  
7           AND I'LL BE AROUND THE NEXT TWO DAYS TO HELP YOU  
8           OUT.

9                   CHAIRMAN PENNINGTON:  GREAT.  THANK YOU  
10          VERY MUCH.

11                  BOARD MEMBER GOTCH:  MR. CHAIR, I DO HAVE  
12          A QUESTION.  MS. HINSHAW, DO I REMEMBER THAT HERE  
13          IN PASADENA YOU HAVE A PLAYGROUND MADE OUT OF  
14          RECYCLED MATERIALS; IS THAT CORRECT?

15                  MS. HINSHAW:  YEAH.  WE HAVE A NUMBER OF  
16          PLAYGROUNDS THAT USED THE RECYCLED PLASTIC  
17          MATERIALS.  LOT OF THEM ARE PARK BENCHES, AND A  
18          NUMBER OF THE PLAYGROUNDS ALSO HAVE THE EQUIPMENT  
19          AS WELL.  IF YOU'D LIKE, I CAN GO AHEAD AND GIVE  
20          YOU GUYS INFORMATION ABOUT WHERE THAT WOULD BE  
21          LOCATED.

22                  BOARD MEMBER GOTCH:  I'D LIKE THAT.  I'D  
23          LIKE TO SEE THEM WHILE WE'RE HERE.  THANK YOU.

24                  MS. HINSHAW:  YOU MIGHT ALSO NOTICE THAT  
25          ONE OF THE OTHER GIVEAWAY ITEMS THAT WE HAD WAS

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1 THE KEY CHAIN THAT HAS THE NUMBERS IN IT. THAT'S  
2 SO YOU GUYS CAN BE SUCCESSFUL WITH THE CALIFORNIA  
3 LOTTERY. THIS IS OUR WAY OF TRYING TO GET TO THE  
4 DEMOGRAPHICS. CHANGE THEIR USED MOTOR OIL MAY NOT  
5 BE RECYCLING AND THOSE KINDS OF THINGS. WE JUST  
6 RECEIVED THOSE, SO I HAVEN'T HAD A CHANCE TO  
7 ACTUALLY SEE IF IT WORKS VERY WELL, BUT YOU GUYS  
8 MIGHT WANT TO TRY THOSE OUT TOO. THOSE ARE MADE  
9 FROM RECYCLED PLASTIC AS WELL.

10 CHAIRMAN PENNINGTON: IF WE WIN ENOUGH,  
11 YOU GET RID OF US.

12 BOARD MEMBER RELIS: I'D LIKE TO ASK WHAT  
13 YOU THINK IS YOUR CRITICAL NEXT STEP TOWARDS 50  
14 PERCENT? WHAT IS THE NEXT SCALE OF INVESTMENT OR  
15 PROGRAM DEVELOPMENT THAT YOU SEE AS THE CRUX OF  
16 THE 2000 EFFORT?

17 MS. HINSHAW: THE MORE DIFFICULT WASTE  
18 STREAM IS THE COMMERCIAL WASTE STREAM. IN  
19 PASADENA WE DON'T HAVE A LOT OF INDUSTRIAL, SO WE  
20 OBVIOUSLY WOULD BE FOCUSING ON THE COMMERCIAL  
21 WASTESTREAM. OUR PROBLEM -- WELL, ONE OF THE  
22 THINGS THAT WE'VE DONE IS WE'VE IMPLEMENTED A  
23 NONEXCLUSIVE FRANCHISE SYSTEM WHICH MAINTAINS  
24 COMPETITION, KEEPS PRICES LOW, AND HAS THE

INTENT

25 OF BEING ABLE TO KIND OF KEEP AN EYE ON WHAT'S

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1       GOING ON OUT THERE IN THE COMMUNITY, AND HAVE A  
2       COMMUNICATION MECHANISM WITH THOSE HAULERS.

3                       CURRENTLY WE HAVE ABOUT 60 PEOPLE  
4       WHO PARTICIPATE IN THAT NONEXCLUSIVE FRANCHISE  
5       SYSTEM. YOU CAN IMAGINE THE ADMINISTRATIVE  
6       NIGHTMARE THAT CAN BE, BUT WE THINK THAT IT'S A  
7       FAIRLY GOOD SYSTEM. PASADENA, THE CITY OF  
8       PASADENA, ALSO COMPETES IN THAT SYSTEM, AND WE  
9       ALSO PAY THE FRANCHISE FEE ALONG WITH EVERYONE  
10      ELSE. WE HAVE BEEN ABLE TO SUBSIDIZE OUR  
11      COMMERCIAL RATES SO THAT WE CAN OFFER THE  
12      RECYCLING SERVICE FOR FREE. AND WE'RE TRYING TO  
13      ENCOURAGE THE OTHER HAULERS TO CONTINUE TO DO THE  
14      SAME KIND OF THING AND START LOOKING IN TERMS OF  
15      THE VARIABLE RATE MODEL THAT WE HAVE IN PASADENA  
16      ON THE RESIDENTIAL SIDE AND TRY AND APPLY THAT TO  
17      THE COMMERCIAL SIDE, BUT THAT'S EASIER SAID THAN  
18      DONE. WITH THAT MANY HAULERS, THAT IS CERTAINLY A  
19      VERY DIFFICULT THING TO DO.

20                      WE'VE ALSO DONE A LOT ON THE  
21      EDUCATION SIDE. HOWEVER, THAT CAN BE VERY  
22      PROBLEMATIC AS WELL BECAUSE WE ARE NOT ALWAYS ABLE  
23      TO MAINTAIN THE SAME MANAGER IN THE BUSINESS WHO  
24      HAS THE COMMITMENT TO RECYCLING AND ALL THOSE  
25      KINDS OF THINGS DOWN THE LINE. SO IT IS IN



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1       COMPARISON TO A MULTIFAMILY RESIDENCE AS FAR AS  
2       THE DIFFICULTY IN ACHIEVING LONG-TERM REALIZATION  
3       OF THOSE GOALS. TOUGH STUFF AHEAD. NO EASY  
4       ANSWERS.

5                   CHAIRMAN PENNINGTON: OKAY. ANY OTHER  
6       QUESTIONS OF MR. HINSHAW? THANK YOU VERY MUCH.  
7       NEXT WE'LL HEAR FROM JIM BERRYHILL.

8                   MR. BERRYHILL: AGAIN, THANK YOU FOR  
9       CHOOSING PASADENA. I HAVE JUST CHOSEN  
PASADENA;

10       THEY HAVE JUST CHOSEN ME. AND SO I HOPE TO  
FORM A  
11       LONG-TERM RELATIONSHIP AND PARTNERSHIP WITH  
THEM

12       AS WELL YOU IN THIS PARTICULAR INDUSTRY.

13                   AND TO FURTHER EXPAND UPON YOUR  
14       QUESTION OF WHAT I THINK IS OUR BIGGEST  
CHALLENGE

15       IS IN TODAY'S DIMINISHING RESOURCES IS BEING  
ABLE

16       TO CONVINCE THOSE THAT ARE PAYING FOR THE  
SERVICE,

17       TO PARTICIPATE IN THAT WILLINGLY, AND TO,  
18       THEREFORE, ASSIST US IN OUR OUTREACH PROGRAMS.  
19       FINDING THE FUNDING SOURCES AND MAKING THOSE

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20        OUTREACH EFFORTS TO GET THE DIVERSION IS GOING  
TO

21        BE PROBABLY THE BIGGEST CHALLENGE WE HAVE  
FACING

22        US, AS WE HAVE ALL WITNESSED WITH NEW  
LEGISLATION,

23        SUCH AS 218, SAYING WE DON'T WANT ANY MORE

24        EXPENSES.    HOW DO WE OVERCOME THAT PROCESS

THOSE

25        OF US WITH DIMINISHING INCOMES FACE.

1                   SO I THINK THAT'S PROBABLY OUR  
2       GREATEST CHALLENGE AND PROBABLY YOURS IS BEING  
3       ABLE TO CONVINCE OUR CITIZENRY THAT THERE IS A  
4       NEED FOR THAT TO SUPPORT IT MONETARILY.  AGAIN,  
5       WELCOME TO PASADENA.

6                   BOARD MEMBER RELIS:  MAY I ASK JUST ONE  
7       OTHER.  DO YOU HAVE ANY PROVISIONS IN YOUR  
8       PLANNING FOR FOCUSING ON CONSTRUCTION AND  
9       DEMOLITION WASTE GIVEN THE FACT THAT IT, JUST  
10      WALKING AROUND THE COMMUNITY YESTERDAY AFTERNOON A  
11      FEW MOMENTS, IT SEEMS LIKE THERE ARE A LOT OF  
12      CHANGES UNDER WAY.  SOME BUILDINGS COMING DOWN,  
13      SOME GOING UP.  DO YOU HAVE A CONSTRUCTION AND  
14      DEMOLITION FOCUS IN YOUR 2000 EFFORT?

15                  MR. BERRYHILL:  I'D HAVE TO DEFER TO JANE  
16      ON THAT BECAUSE THIS IS MY THIRD DAY.  SO RATHER  
17      THAN CONFUSE THE ISSUE.

18                  BOARD MEMBER RELIS:  DON'T WANT TO PUT  
19      YOU ON THE SPOT TOO EARLY.

20                  MS. HINSHAW:  WE HAVE LOOKED AT ACTUALLY  
21      CONSTRUCTING A C&D MRF UP AT SCHOLL CANYON  
22      LANDFILL IN CONJUNCTION WITH GLENDALE AND THE  
23      OTHER WASTESHED CITIES, AS WE CALL OURSELVES.  ONE  
24      OF OUR PROBLEMS IS THAT WE HAVE A PREFERENCE FOR  
25      NOT DEBT FINANCING SUCH A FACILITY AND THEN BEING

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1 IN A POSITION TO BE ABLE TO BE VERY COMPETITIVE IN  
2 ORDER TO LURE THE PEOPLE TO THIS LANDFILL AS  
3 OPPOSED TO ANOTHER ONE. AND THE FINANCIAL ASPECTS  
4 OF THAT CAN BE VERY DIFFICULT.

5 THE POLITICS OF THE SITUATION ALSO  
6 ENTER INTO IT IN THAT THE CITY OF GLENDALE CITY  
7 COUNCIL DECIDED THAT THE MONEY THAT WAS BEING SET  
8 ASIDE FROM THE TIP FEE FOR THAT COULD BE USED FOR  
9 OTHER CITY PROJECTS; FOR EXAMPLE, A POLICE  
10 DEPARTMENT BUILDING. SO AGAIN, THOSE DWINDLING  
11 RESOURCES HAVE BEEN BROUGHT TO BEAR ON, YOU KNOW,  
12 A LARGE-SCALE PROJECT THAT WAS DEEMED NOT NEARLY  
13 AS IMPORTANT AS SOMETHING ELSE.

14 SO IT'S A CHALLENGE WE'RE FACING,  
15 BUT WE DO AGREE THAT THAT'S AN ISSUE. WE HAVE A  
16 NUMBER OF FACILITIES IN THE SAN GABRIEL VALLEY  
17 THAT COULD BE UTILIZED THAT WAY, BUT MANY OF US  
18 ARE VERY RELUCTANT TO GET INTO ANY KIND OF FLOW  
19 CONTROL ISSUES OR ANYTHING THAT WOULD EVEN BECOME  
20 SOMETHING LIKE THAT. SO WE'RE LOOKING AT OTHER  
21 MORE LESS RESTRICTIVE WAYS OF DOING THAT.

22 BOARD MEMBER RELIS: THANK YOU.

23 CHAIRMAN PENNINGTON: THANK YOU. ANY

24 OTHER QUESTIONS?

25 MR. BERRYHILL: AGAIN, WELCOME TO

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1 PASADENA. AND I TOO HOPE YOU ENJOY THE COMMUNITY  
2 AS MUCH AS I LOOK FORWARD TO BEING HERE.

3 CHAIRMAN PENNINGTON: TERRIFIC. THANK  
4 YOU. NEXT WE'LL HEAR JACK PETRALIA, DIRECTOR OF  
5 BUREAU OF ENVIRONMENTAL PROTECTION, COUNTY OF LOS  
6 ANGELES DEPARTMENT OF HEALTH SERVICE, BETTER KNOWN  
7 AS THE LEA.

8 MR. PETRALIA: THANK YOU, MR. CHAIRMAN  
9 AND MEMBERS OF THE BOARD. ON BEHALF OF LOS  
10 ANGELES COUNTY DEPARTMENT OF HEALTH SERVICES, THE  
11 LEA FOR THE COUNTY OF LOS ANGELES AND 86 OF ITS  
12 CITIES, I'D LIKE TO WELCOME YOU HERE TODAY.

13 I'D LIKE TO JUST MAKE A FEW BRIEF  
14 OBSERVATIONS AND WON'T TAKE UP THAT MUCH OF YOUR  
15 TIME. OVER THE LAST FIVE YEARS, WE BELIEVE, AS  
16 THE LEA, THAT RELATIONSHIPS BETWEEN YOUR BOARD AND  
17 ALL OF THE LEA'S HAVE SIGNIFICANTLY IMPROVED.  
18 THIS HAS OCCURRED ESPECIALLY DURING THE LAST TWO  
19 YEARS. MANY OF THESE SIGNIFICANT CHANGES WERE  
20 DRIVEN BY AB 1220, WHICH PASSED IN 1993.

21 THE IMPLEMENTATION OF THE CONCEPTS  
22 MANDATED BY THE BILL, HOWEVER, WHILE DIFFICULT TO  
23 INITIATE, HAVE LED TO A CLOSER RELATIONSHIP  
24 BETWEEN YOUR BOARD AND THE LEA. MANY OF THE  
25 INNOVATIONS AND COOPERATION BETWEEN YOUR BOARD  
AND



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1 THE LEA'S HAVE LED TO THE ESTABLISHMENT OF YOUR  
2 BOARD ADVISORIES, WHICH ARE VERY VALUABLE AND  
3 DIRECT MANY LEA ACTIVITIES TO SOLID WASTE ROUND  
4 TABLES. THE ENFORCEMENT ADVISORY COUNCIL, WHICH  
5 HAS INCREASED SIGNIFICANTLY, COMMUNICATION AND  
6 INSIGHT, UNDERSTANDING BETWEEN THE LEA'S AND YOUR  
7 BOARD, I THINK, HAVE EFFECTIVELY IMPROVED THE  
8 REGULATORY ATMOSPHERE BETWEEN THE LEA'S AND YOUR  
9 BOARD.

10 A CLOSE WORKING RELATIONSHIP WITH  
11 THE CALIFORNIA CONFERENCE OF DIRECTORS OF  
12 ENVIRONMENTAL HEALTH THROUGH PARTNERSHIP 2000,  
13 WHICH IS ATTEMPTING TO ANSWER THE FUNDAMENTAL  
14 QUESTIONS, INCLUDING HOW CAN WE IMPROVE OUR  
15 ABILITY TO COOPERATE AND FURTHER OUR COMMON AIMS.

16 THE INCLUSION OF THE LEA'S IN THE  
17 DEVELOPMENT OF REGULATIONS, ESPECIALLY IN THE  
18 EARLY STAGES, HAS BEEN MOST BENEFICIAL. AND WE  
19 HOPE THAT YOU WILL CONTINUE TO INCLUDE US IN THIS  
20 PROCESS.

21 TRAINING PROVIDED BY YOUR BOARD  
22 STAFF HAS NOT ONLY INCREASED IN QUANTITY, BUT IN  
23 QUALITY ALSO. AND WE THANK THE BOARD AND ITS  
24 STAFF VERY MUCH.

25 MOST OF THESE POSITIVE DEVELOPMENTS

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1 HAVE BEEN LED BY LEADERSHIP OF YOUR EXECUTIVE  
2 DIRECTOR, MR. CHANDLER, AND THE DEPUTY DIRECTOR  
3 FOR PERMITTING AND ENFORCEMENT, DOROTHY RICE. AND  
4 WE HAVE -- THANK THEM VERY MUCH.

5 WHILE THE MEANS OF REGULATING SOLID  
6 WASTE IN CALIFORNIA IS COMPLEX AND AT TIMES  
7 DIFFICULT, WE BELIEVE THAT THE ACCOUNTABILITY OF  
8 YOUR BOARD AS THE POLICY MAKER AND THE  
9 IMPLEMENTATION OF THOSE POLICIES BY THE LEA'S  
10 PROVIDE THE MOST EFFECTIVE AND EQUITABLE AND  
11 EFFICIENT MEANS OF PROTECTING PUBLIC HEALTH AND  
12 SAFETY AND THE ENVIRONMENT.

13 FINALLY, THE POSITIVE RELATIONSHIP  
14 AND MECHANISMS FOR BETTER COMMUNICATION BETWEEN  
15 YOUR BOARD THAT I HAVE CITED CAN LEAD ONLY TO  
16 BETTER CONDUCT OF REGULATORY ACTIVITIES IN  
17 CALIFORNIA. WITH THAT, I HOPE YOU HAVE A  
18 PRODUCTIVE MEETING AND THANK YOU VERY MUCH.

19 CHAIRMAN PENNINGTON: THANK YOU. ANY  
20 QUESTIONS? THANK YOU VERY MUCH FOR COMING.

21 NOW WE'LL MOVE TO A COUPLE OF  
22 PRESENTATIONS. FIRST IS ITEM 2, PRESENTATION OF  
23 THE WRAP-OF-THE-YEAR AWARD TO THE DISNEY COMPANY.  
24 VICE CHAIRMAN ROBERT FRAZEE WILL MAKE THAT  
25 PRESENTATION ON BEHALF OF THE BOARD.

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1                   BOARD MEMBER FRAZEE:   GOOD MORNING, MR.  
2           CHAIRMAN.   I'D LIKE TO ASK KRIS MCNAMERA FROM THE  
3           WALT DISNEY COMPANY TO COME FORWARD.   KRIS IS  
4           CURRENTLY DIRECTOR OF ENVIRONMENTAL PROGRAMS FOR  
5           DISNEY, AND SHE IS RESPONSIBLE FOR DIRECTING THE  
6           ENVIRONMENTAL EFFORTS OF BOTH THE WALT DISNEY  
7           COMPANY AND JOINTLY WITH OTHER PRIVATE AND PUBLIC  
8           AGENCIES.

9                   SHE WAS INSTRUMENTAL IN DEVELOPING  
10          THE FIRST JOINT PUBLIC/PRIVATE PARTNERSHIP WITH  
11          THE STATE OF CALIFORNIA ENVIRONMENTAL EDUCATION  
12          INTERAGENCY NETWORK AND THE WALT DISNEY COMPANY,  
13          CREATING JIMINEY CRICKET'S ENVIRONMENTALITY  
14          CHALLENGE.   THIS PROGRAM GIVES TEACHERS THE  
15          OPPORTUNITY TO PRESENT ENVIRONMENTAL EDUCATION AND  
16          FUN IN A CREATIVE MANNER.

17                  AS EVERYONE IN THIS ROOM KNOWS OR  
18          SHOULD KNOW, THE STATE HAS A GOAL OF WASTE  
19          REDUCTION BY 50 PERCENT BY THE YEAR 2000.   WE HAVE  
20          ACHIEVED HALFWAY TO THAT GOAL OR BETTER THAN  
21          HALFWAY BY 1996, BUT NOW OUR CHALLENGE IS TO  
22          DOUBLE THAT EFFORT.   AND I THINK IT'S APPARENT TO  
23          ALL OF US THAT WE CANNOT REACH THAT GOAL WITHOUT  
24          THE WORK AND THE SUPPORT OF BUSINESSES IN  
25          CALIFORNIA.

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1                   THE ONE MILLION BUSINESSES IN  
2       CALIFORNIA, LARGE AND SMALL, TOGETHER GENERATE  
3       ABOUT HALF OF THE STATE'S SOLID WASTE. A GROWING  
4       NUMBER OF COMPANIES ARE REALIZING THAT WASTE  
5       REDUCTION, RECYCLING, REUSE IS NOT ONLY GOOD FOR  
6       THE ENVIRONMENT; IT'S GOOD FOR THE BOTTOM LINE.

7                   TODAY I'M PLEASED TO RECOGNIZE WALT  
8       DISNEY COMPANY AS ONE OF THE STATE'S TOP TEN  
9       RECYCLERS BY PRESENTING ONE OF THE WASTE BOARD'S  
10      FIRST ANNUAL WRAP-OF-THE-YEAR AWARDS. DISNEY HAS  
11      DONE AN OUTSTANDING JOB. THE COMPANY'S  
12      ENVIRONMENTALITY PROGRAM ENCOURAGES ALL 21,000  
13      EMPLOYEES TO REDUCE, REUSE, AND RECYCLE BOTH AT  
14      HOME AND AT WORK.

15                  DISNEY'S GREEN TEAM ENVIRO PAGE AND  
16      DISNEY'S WASTE WATCHERS FURTHER ASSISTS THE  
17      DIVERSION OF REUSABLE OR RECYCLABLE WASTE FROM THE  
18      GARBAGE CAN. DISNEY DONATES EXTRA PAINT AND WOOD  
19      FROM ITS SETS TO LOCAL GOVERNMENTS AND SCHOOLS,  
20      PROMOTES THE USE OF ELECTRONIC COMMUNICATION TO  
21      CUT DOWN ON PAPER WASTE, AND ACTIVELY PROMOTES  
22      BENEFITS OF A CONSCIENTIOUS WASTE MANAGEMENT  
23      PROGRAM TO THE ENTERTAINMENT INDUSTRY.

24                  THE COMPANY EVEN GOES SO FAR AS TO  
25      DONATE FOOD SCRAPS TO AREA HOG FARMS AND GIVES



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1 EMPLOYEES TIPS ON HOW TO GET TO WORK IN THE MOST  
2 ENVIRONMENTALLY FRIENDLY WAY POSSIBLE. PROVED  
3 ONCE AGAIN THAT RECYCLING IS GOOD FOR BOTTOM LINE  
4 AS WELL AS FOR THE ENVIRONMENT. WALT DISNEY  
5 COMPANY HAS CUT THEIR DISPOSAL COST BY \$528,000 IN  
6 ANY SINGLE YEAR.

7 FOR ALL OF YOUR EFFORTS AND ON  
8 BEHALF OF THE INTEGRATED WASTE MANAGEMENT BOARD,  
9 I'M REALLY PLEASED TO PRESENT TO YOU THE WRAP-OF-  
10 THE-YEAR AWARD FROM THE ENVIRONMENTAL -- THE  
11 CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY  
12 INTEGRATED WASTE MANAGEMENT BOARD. AND I'D LIKE  
13 TO MENTION THAT THIS PLAQUE IS IN KEEPING WITH  
14 WASTE REDUCTION. IT'S PRODUCED FROM RECYCLED  
15 NEWSPRINT AND FROM SOY INK. I'D LIKE TO PRESENT  
16 THAT TO YOU.

17 (APPLAUSE.)

18 MS. MC NAMERA: I WOULD REALLY LIKE TO  
19 SAY A FEW THINGS. THANK YOU SO MUCH. YOU'VE SAID  
20 A LOT ABOUT WHAT THE WALT DISNEY COMPANY HAS BEEN  
21 INVOLVED IN DOING. BUT ON BEHALF OF DISNEY, IT'S  
22 TRULY OUR CAST MEMBERS OR EMPLOYEES WHO ARE THE  
23 GREEN EFFORT BEHIND WHAT WE'VE ACCOMPLISHED.

24 WE STARTED A PROGRAM IN 1991 CALLED  
25 ENVIRONMENTALITY, WHICH HAS REALLY BEEN A

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1 WONDERFUL PROGRAM THAT HAS BLOSSOMED WHERE  
2 EMPLOYEES ARE ASKED TO LOOK AT WAYS THAT THEY CAN  
3 HELP PRESERVE THE ENVIRONMENT BOTH AT WORK AND AT  
4 HOME. WHEN WE STARTED THIS PROGRAM, WE WERE  
5 RECYCLING ABOUT 71 MILLION TONS ANNUALLY. OUR  
6 EMPLOYEES HAVE INCREASED THAT TO OVER 80,000  
7 MILLION TONS A YEAR. SO IT'S TRULY THEIR EFFORTS  
8 THAT HAVE MADE THE WALT DISNEY COMPANY THE GREEN  
9 COMPANY THAT WE ARE, NOT ONLY IN RECYCLING, BUT IN  
10 EDUCATION, IN OUR PURCHASING. AND ON BEHALF OF  
11 THEM, I WANT TO SAY THANK YOU.

12 BUT I ALSO WANT TO SAY THANK YOU TO  
13 YOU ALL AS WELL BECAUSE THE INTEGRATED WASTE  
14 MANAGEMENT BOARD HAS BEEN A VERY INTEGRAL PART IN  
15 OUR ENVIRONMENTALITY EDUCATION PROGRAM THAT HAS  
16 STARTED ABOUT THREE YEARS AGO, AND IT'S THROUGHOUT  
17 THE STATE OF CALIFORNIA AND WILL BE EVEN MOVING ON  
18 INTO FLORIDA. AND THIS LAST YEAR WE HAVE BEEN  
19 ABLE TO TOUCH COLLECTIVELY ABOUT TWO MILLION  
20 DIFFERENT FAMILIES THROUGH FIFTH GRADE KIDS THAT  
21 ARE TRULY MAKING A DIFFERENCE, DEVELOPING  
22 RECYCLING PROGRAMS, WATER CONSERVATION, FIRE  
23 RESTORATION, AND ON AND ON. SO IT IS REALLY  
24 THROUGH ALL OF OUR EFFORTS THAT WE CAN MAKE A  
25 DIFFERENCE, SO THANK YOU.

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1 (APPLAUSE.)

2 CHAIRMAN PENNINGTON: NEXT IS  
3 PRESENTATION OF THE 1996 CALMAX MATCH-OF-THE-YEAR  
4 AWARD TO SATICOY RECYCLING. MR. PAUL RELIS.

5 BOARD MEMBER RELIS: ASK IF RITA  
6 GONZALES, PLEASE COME FORWARD. WELL, RITA  
7 GONZALES IS WITH US FROM SATICOY RECYCLING TODAY.  
8 TO EXEMPLIFY THE FACT IN OUR CALMAX PROGRAM, WE  
9 SAY THAT ONE PERSON'S TRASH IS ANOTHER'S TREASURE,  
10 AND SHE IS AN EXEMPLAR OF THAT ADAGE.

11 THE WASTE NOT WANT NOT ADS PROVIDE  
12 FREE LISTINGS IN OUR CALMAX PROGRAM FOR EXCHANGES  
13 OF MATERIALS. THIS IS A VERY POPULAR PROGRAM OF  
14 THE BOARD WHERE WE LIST MATERIALS AVAILABLE FROM  
15 COMPANIES, FROM ANY CONSTRUCTION SITES, YOU NAME  
16 IT. AND IN THIS CATALOG OTHERS CAN FIND MATERIALS  
17 THAT THEY CAN PUT TO POSITIVE USE.

18 DURING 1996 CALMAX RECORDED A BANNER  
19 YEAR WHERE THEY HELPED FIND HOMES FOR MORE THAN A  
20 HUNDRED THOUSAND TONS OF MATERIAL, A CONSIDERABLE  
21 TONNAGE AT THAT. ELEVEN HUNDRED SUCCESSFUL  
22 EXCHANGES.

23 AND I'M PLEASED TO NOTE THAT THE  
24 CALMAX DATABASE IS NOW AVAILABLE ON LINE THROUGH  
25 THE BOARD'S INTERNET HOME PAGE, WHICH, IF YOU

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1        WOULD LIKE, I CAN PROVIDE YOU, BUT I WILL NOT READ  
2        OUT.

3                        FINDING THE MOST INNOVATIVE AND  
4        CREATIVE MATCH IS AN ANNUAL EFFORT OF OURS.    AND  
5        WE LOOK THROUGH 1100 EXCHANGES, AND RITA GONZALES  
6        OF SATICOY RECYCLING IN VENTURA COUNTY WAS  
7        SELECTED AFTER THAT ARDUOUS SEARCH.

8                        SATICOY RECYCLING STARTED OUT THREE  
9        YEARS AGO RECOVERING CARDBOARD AND LATER ADDING  
10       WOOD TO THEIR MATERIALS, BUT HER BUSINESS REALLY  
11       STARTED TO EXPAND WITH THE HELP OF CALMAX.    IN  
12       FACT, DURING THE PAST TWO YEARS, SHE HAS RECEIVED  
13       MORE THAN 550 TONS OF MATERIALS, SAVED OVER  
14       \$33,000 THROUGH DOZENS OF CALMAX EXCHANGES.

15                       THE MOST POPULAR ITEMS, SINCE WE  
16       WANT TO KNOW WHAT DOES SHE EXCHANGE, ARE  
17       DIMENSIONAL LUMBER, PIECES OF LUMBER THAT ARE  
18       WORTH RECOVERING, PLASTIC, AND LASER TONER.    SHE  
19       SHIPS MOST OF THE LUMBER TO MEXICO, BUT LARGER  
20       PIECES ARE REMANUFACTURED AND USED IN MOLDINGS,  
21       CUSTOM MOLDINGS, I ASSUME.

22                       MS. GONZALES:    LOTS OF THINGS.

23                       BOARD MEMBER RELIS:    MUCH OF THE PLASTIC  
24       IS USED BY A COMPANY THAT MAKES FIRE LOGS, AND  
25       TONER CARTRIDGES ARE SOLD TO ANOTHER FIRM THAT



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1       ALSO ADVERTISES IN THE CALMAX LISTING.  INDEED,  
2       THERE'S SO MANY INTERESTING ITEMS ADVERTISED, THAT  
3       MS. GONZALES EVEN ACQUIRED SOME FOR HERSELF, SO  
4       MAYBE SHE'LL TELL US WHAT THOSE ARE.

5                   CALMAX IS CLEARLY CRITICAL TO THE  
6       BOARD'S ROLE IN PROMOTING WASTE REDUCTION AND  
7       RECOVERY, AND RITA'S EFFORTS WITH SATICOY  
8       RECYCLING ARE THE ESSENCE OF WHAT THIS PROGRAM IS  
9       ABOUT.

10                   SO ON BEHALF OF THE CALIFORNIA  
11       INTEGRATED WASTE MANAGEMENT BOARD, I WANT TO  
12       PRESENT TO YOU THIS RESOLUTION, WHICH I ALSO WILL  
13       NOT READ -- I THINK YOU GATHER -- EXPRESSING OUR  
14       GREAT ENTHUSIASM FOR YOUR WORK.  SO, RITA, HERE IT  
15       IS.

16                   (APPLAUSE.)

17                   BOARD MEMBER RELIS:  AND WE WOULD INVITE  
18       YOU TO MAKE SOME COMMENTS IF YOU WISH.

19                   MS. GONZALES:  ONE COMMENT.  THE HARDEST  
20       THING THAT I'VE BEEN ABLE TO DO OR ACCOMPLISH IS  
21       TO TALK TO OUR LARGER CONTRACTORS.  THIS IS WHERE  
22       MY FOCUS WILL BE FROM THIS POINT FORWARD IS FOR  
23       THE CONSTRUCTION AND DEMOLITION BECAUSE BEING  
24       RAISED IN A CONSTRUCTION FAMILY, I AM VERY WELL  
25       AWARE OF THE PRODUCT THAT CALIFORNIA ITSELF

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1 WASTES.

2 WHAT WE HAVE TO BE ABLE TO DO IS TO  
3 CONVINCE THESE LARGER CONTRACTORS, SUCH AS  
4 PINHALL, AMERICAN PACIFIC MARINE, GENERAL,  
5 TRAILER. THE PRODUCTS THAT THEY'VE GOT COMING OFF  
6 OF THEM CAN BE USED EVEN WITHIN THE MUNICIPALI-  
7 TIES. HOW MANY OF THE SCHOOLS WOULD LOVE TO GET  
8 THEIR HANDS ON PLYWOOD FOR THEIR CHILDREN TO LEARN  
9 HOW TO DO PROJECTS?

10 OUR, OR NOT MINE, BUT YOUR  
11 RESPONSIBILITY WILL BE EITHER TO TALK THE VERBIAGE  
12 THAT NEEDS TO BE TALKED TO THE CONTRACTORS SO THAT  
13 THEIR BOTTOM LINE ISN'T SO IMPORTANT AS THE FACT  
14 THAT THEY MAKE A LITTLE EFFORT TO TAKE PRODUCT  
15 THAT THEY HAVE AND REUSE IT.

16 WE TAKE A PIER, THE MOBIL OIL PIERS  
17 IN VENTURA. AMERICAN PACIFIC MARINE, GOD BLESS  
18 THEIR SOULS, LET US HAVE ALL THE WOOD THAT COMES  
19 OFF THERE. THAT WE CAN MAKE CRANE MATS OUT OF.  
20 OREGON DOESN'T HAVE TO STRIP THEIR FORESTS  
21 ANYMORE. THERE'S SO MUCH MATERIAL THAT IS OUT  
22 THERE THAT CAN BE REUSED, AND WE JUST HAVE TO  
FIND

23 A WAY TO TALK THESE BIG CHEESES INTO DOING IT.

24 THAT'S IT. AND THANK YOU VERY MUCH.

25 (APPLAUSE.)

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1                   BOARD MEMBER RELIS: I THINK WE JUST  
2                   HEARD A PASSIONATE ARGUMENT FOR ANOTHER EFFORT BY  
3                   BOARD STAFF TO EXPLORE AND HELP WITH. THANK YOU  
4                   AGAIN.

5                   CHAIRMAN PENNINGTON: THANK YOU VERY  
6                   MUCH.

7                   THE BOARD WILL NOW GO INTO A SHORT  
8                   EXECUTIVE SESSION TO DISCUSS PERSONNEL AND LEGAL  
9                   MATTERS.

10                   (RECESS TAKEN AT 10:15 A.M. AND  
11                   RECONVENED AT 10:40 A.M.)

12                   CHAIRMAN PENNINGTON: THANK YOU FOR  
13                   BEARING WITH US. WE'RE BACK IN SESSION. AS THEY  
14                   SAY, THEY'RE BACK. SO WE'LL MOVE TO REPORTS OF  
15                   THE BOARD COMMITTEES, STARTING WITH THE  
16                   LEGISLATION AND PUBLIC EDUCATION COMMITTEE, MRS.  
17                   GOTCH CHAIR.

18                   BOARD MEMBER GOTCH: THANK YOU, MR.  
19                   CHAIR. THE LEGISLATION AND PUBLIC EDUCATION  
20                   COMMITTEE MET ON JUNE 19TH TO CONSIDER EIGHT  
21                   STATE

22                   BILLS. OF THOSE MEASURES THREE ARE ON THE  
23                   CONSENT

24                   CALENDAR, AND THOSE ARE AB 47, WAYNE; AB 1055,  
25                   VILLARAIGOSA; AND SB 988, SHER. AND THE  
26                   REMAINING

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24 FIVE ARE UP FOR CONSIDERATION TODAY.  
25 ALTHOUGH AB 847 IS ON THE CONSENT

1 CALENDAR WITH THE COMMITTEE ADOPTING A UNANIMOUS  
2 NEUTRAL POSITION, TESTIMONY AT THE LPEC COMMITTEE  
3 RAISED ISSUES FOR ME AND I BELIEVE SOME OF THE  
4 OTHER COMMITTEE MEMBERS. THE QUESTION CENTERED  
5 AROUND ONE -- THE BOARD POLICY REGARDING WHITE  
6 GOODS DISPOSAL AND HAZARDOUS MATERIAL CLEANUP AND,  
7 TWO, WHETHER AN OVERSIGHT GAP EXISTS BETWEEN THE  
8 BOARD AND THE DEPARTMENT OF TOXICS WHEN IT COMES  
9 TO REGULATING SUCH MATERIALS.

10 MR. JONES AND I HAVE DISCUSSED THESE  
11 AND OTHER ISSUES AT SOME LENGTH AND AGREE THAT THE  
12 POLICY COMMITTEE WOULD BE ABLE TO SCHEDULE AN ITEM  
13 IN THE NEXT MONTH OR SO TO FURTHER EXPLORE THESE  
14 QUESTIONS.

15 AT THE COMMITTEE MEETING THE LPEC  
16 ALSO RECEIVED AN UPDATE FROM OUR PUBLIC AFFAIRS  
17 DIVISION. THE BOARD RECENTLY COMPLETED ITS 1997  
18 GRASSCYCLING MEDIA CAMPAIGN. WE APPEARED ON NINE  
19 TELEVISION OR CABLE PROGRAMS THROUGHOUT THE STATE  
20 AND CONDUCTED ABOUT 20 INTERVIEWS ON NEWS,  
21 ENVIRONMENTAL, GARDENING, AND WEEKEND PUBLIC  
22 AFFAIRS SHOWS. ADDITIONALLY, WE WERE COVERED IN  
23 ABOUT TEN NEWSPAPERS.

24 I'D LIKE TO COMMEND STAFF FOR THEIR  
25 VERY SUCCESSFUL EFFORTS. STAFF ALSO HELPED



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1 COORDINATE TWO WRAP-OF-THE-YEAR PRESENTATIONS, MAD  
2 RIVER BREWERY IN HUMBOLDT AND DOLE FOODS IN  
3 SALINAS, AND BOTH EVENTS ATTRACTED SIGNIFICANT  
4 LOCAL MEDIA.

5 AND THAT CONCLUDES MY REPORT. THANK  
6 YOU.

7 CHAIRMAN PENNINGTON: THANK YOU, MRS.  
8 GOTCH. NEXT IS THE LOCAL ASSISTANCE AND PLANNING  
9 COMMITTEE, MR. WESLEY CHESBRO, CHAIR.

10 BOARD MEMBER CHESBRO: MR. CHAIRMAN, THE  
11 COMMITTEE CONSIDERED 36 PLANNING DOCUMENTS, WHICH  
12 REPRESENTED 29 JURISDICTIONS. AND IN OUR NEVER  
13 ENDING MARCH TOWARDS THE HUNDRED PERCENT PLAN  
14 APPROVAL, WE'RE GETTING PRETTY DARN CLOSE. THOSE  
15 ARE ALL ON CONSENT CALENDAR.

16 THE COMMITTEE ALSO APPROVED REGIONAL  
17 AGREEMENTS, WHICH I THINK WAS QUITE SIGNIFICANT,  
18 FOR BOTH SISKIYOU COUNTY AND ITS CITIES AND MARIN  
19 COUNTY AND ITS MEMBER CITIES. AND THE REGIONS  
20 WILL BE ABLE TO IMPLEMENT COST-EFFECTIVE PROGRAMS  
21 REGIONWIDE AS A RESULT OF THAT. AND ALSO IT SAVES  
22 OUR STAFF A LOT OF TIME.

23 HOWEVER, IN POINTING OUT HOW  
24 DIFFICULT THINGS CAN BE, LET ME SAY THAT I WAS AT  
25 THE LEAGUE OF CITIES ENVIRONMENTAL QUALITY

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1 COMMITTEE MEETING LAST FRIDAY. I GUESS THIS IS AN  
2 EX PARTE, SO I SHOULD HAVE SAID IT EARLIER. BUT  
3 THE MAYOR OF NOVATO APPROACHED ME AND HAD  
4 SIGNIFICANT CONCERNS WITH THAT REGIONAL AGREEMENT  
5 EVEN THOUGH HER COUNCIL HAD APPROVED IT. SO THESE  
6 THINGS ARE NOT EASY TO PULL OFF. I GUESS IT'S  
7 THAT MUCH MORE OF A CONGRATULATIONS TO THE  
8 JURISDICTIONS IF THEY HAVE, BUT IT'S DIFFICULT.

9 ALSO, THE COMMITTEE CONSIDERED THE  
10 SAN DIEGO COUNTY SUMMARY PLAN AND SITING ELEMENT;  
11 AND WITH THE APPROVAL OF THESE DOCUMENTS TODAY,  
12 THE COUNTY OF SAN DIEGO WILL HAVE COMPLETED THEIR  
13 PLANNING REQUIREMENTS.

14 WASTE PREVENTION STAFF CONFIRMED  
15 SITES FOR THREE BACKYARD COMPOSTING PROGRAM  
16 WORKSHOPS PLANNED FOR JULY. THE FOCUS OF THIS  
17 TRAINING WILL BE ON STARTING NEW COMMUNITY BASED  
18 BACKYARD COMPOSTING PROGRAMS, AS WELL AS IMPROVING  
19 EXISTING ONES. AND IT'S -- THEY'RE TARGETED ON  
20 RECYCLING COORDINATORS AND SOLID WASTE MANAGERS TO  
21 ASSIST THEM IN HELPING TO GET YARD WASTE  
22 PREVENTION PROGRAMS AND BACKYARD COMPOSTING  
23 PROGRAMS STARTED. THOSE WORKSHOPS WILL BE IN  
24 ESCONDIDO, FRESNO, AND LOS ANGELES.

25 THE 1997 WRAP APPLICATION PERIOD IS

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1 DRAWING TO A CLOSE, AND THE SUBMITTAL DEADLINE IS  
2 JUNE 30TH. SO ONCE AGAIN, AS WE'VE ANNOUNCED FAR  
3 AND WIDE, WE NEED TO GET THE WORD OUT IF THERE'S  
4 ANYBODY -- ANY OF THE BOARD MEMBERS OR ANYBODY IN  
5 THE AUDIENCE IS PLANNING TO CONTACT US ABOUT THIS.

6 IN AN ONGOING EFFORT TO KEEP THE  
7 BUSINESS WASTE REDUCTION KITS VITAL, SEVERAL FACT  
8 SHEETS HAVE BEEN REVISED AND A FEW ADDED TO FORM  
9 THE OFFICE PAPER REDUCTION CAMPAIGN. AND IN  
10 GENERAL, THOSE KITS ARE BEING UPDATED TO MAKE OUR  
11 BUSINESS RECYCLING PROGRAM MORE EFFICIENT AND  
12 EFFECTIVE. AND THAT'S ALSO BEING INCLUDED ON THE  
13 BOARD'S WEBSITE.

14 I ALSO JUST WANTED TO MENTION THAT  
15 YESTERDAY I VISITED COMMUNITY RECYCLERS IN  
16 SUNLAND. AND THEY'RE THE ONES THAT ARE  
17 RESPONSIBLE FOR THE, YOU KNOW, VERY SUCCESSFUL  
18 PROGRAM THROUGHOUT SOUTHERN CALIFORNIA WITH VONS  
19 AND RALPH'S SUPERMARKETS FOR TAKING ALL OF THE  
20 PRODUCE SCRAPS. AND I UNDERSTAND MR. RELIS HAS  
21 BEEN THERE BEFORE ME, PROBABLY OTHERS OF YOU  
HAVE

22 AS WELL. IF YOU HAVEN'T, I ENCOURAGE YOU TO SEE  
23 WHAT THEY'RE DOING.

24 IN ADDITION TO LARGE VOLUMES OF

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YARD

25 WASTE, THEY'RE TAKING THESE MATERIALS FROM

1       THROUGHOUT SOUTHERN CALIFORNIA, AND THEY'RE BUSY  
2       AGGRESSIVELY LOOKING AT NORTHERN CALIFORNIA AS  
3       WELL, AND TAKING THEM TO A COMPOST SITE IN KERN  
4       COUNTY. AND IT'S BEEN A GREAT EDUCATIONAL TOOL.

5                       WHEN I WAS WITH MY BROTHER LAST  
6       NIGHT, I MENTIONED IT TO HIM, AND HE WAS TOTALLY  
7       AWARE OF THE PRODUCT BEING AVAILABLE FOR RESALE.  
8       AND THE BAG MARKET AS WELL HERE IN LOS ANGELES,  
9       WHICH PROBABLY IS MORE OF AN EDUCATIONAL TOOL THAN  
10      A VOLUME, THE VOLUME IS IN AGRICULTURE, BUT  
11      NONETHELESS THE ADVERTISING OF VONS AND RALPH'S  
12      HAS REALLY INCLUDED THIS WHOLE PROCESS. AND SO  
13      IT'S BEEN A GREAT PUBLIC AWARENESS CAMPAIGN AND  
14      GOTTEN THE PUBLIC VERY INVOLVED IN THE COMPOSTING  
15      PROCESS. SO I WAS IMPRESSED, AND I JUST  
WANTED TO

16      MENTION THAT. THANK YOU.

17                       CHAIRMAN PENNINGTON: THANK YOU.

NEXT WE

18      HAVE PERMITTING AND ENFORCEMENT CHAIRED BY  
ROBERT

19      FRAZEE.

20                       BOARD MEMBER FRAZEE: YES, MR.  
CHAIRMAN.

21      PERMITTING AND ENFORCEMENT COMMITTEE MET ON



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JUNE

22        17TH.    FOUR PERMIT ITEMS, ALL OF WHICH ARE  
23        RECOMMENDED FOR THE CONSENT CALENDAR TODAY:    A  
NEW  
24        SOLID WASTE FACILITY PERMIT FOR THE EDCO  
COMPANY  
25        IN SAN DIEGO COUNTY, A REVISED SOLID WASTE

1 FACILITY PERMIT FOR THE LOST HILLS SANITARY  
2 LANDFILL IN KERN COUNTY, A REVISED SOLID WASTE  
3 FACILITY PERMIT FOR THE COAST WASTE MANAGEMENT  
4 TRANSFER STATION LOCATED IN CARLSBAD IN SAN DIEGO  
5 COUNTY, AND, NO. 4, THE ISSUANCE OF A NEW MAJOR  
6 WASTE TIRE FACILITY PERMIT FOR GOLDEN BY-PRODUCTS  
7 INCORPORATED IN MERCED COUNTY.

8 ON THE REGULAR AGENDA, TWO ITEMS  
9 FORWARDED TO THE BOARD. FIRST OF ALL, THE  
10 ADOPTION OF A MITIGATED NEGATIVE DECLARATION FOR  
11 THE PASO ROBLES LANDFILL. THAT COMES TO THE BOARD  
12 BECAUSE THE BOARD IS THE EA FOR THAT JURISDICTION.

13 SECOND, THE DELEGATION OF AUTHORITY  
14 TO THE EXECUTIVE DIRECTOR TO AUTHORIZE ASBESTOS-  
15 CONTAINING WASTE PROGRAMS AND DISCUSSION OF  
16 AUTHORIZATION TO LOCAL ENFORCEMENT AGENCIES TO  
17 ENFORCE STANDARDS FOR HANDLING AND DISPOSAL OF  
18 ASBESTOS-CONTAINING WASTE FACILITIES.

19 AND THEN TWO ITEMS APPROVED BY  
20 THE  
21 COMMITTEE THAT WILL NOT COME TO THE BOARD,  
22 APPROVAL TO BEGIN A 15-DAY PUBLIC COMMENT  
PERIOD  
FOR THE ALTERNATE DAILY COVER REGULATIONS AND  
TO

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23 BEGIN RULEMAKING FOR REGULATIONS TO ADD NEW  
U.S.

24 EPA FINANCIAL ASSURANCE MECHANISMS FOR LOCAL  
25 GOVERNMENTS TO STATE REGULATIONS.

1                    THAT COMPLETES MY REPORT.

2                    CHAIRMAN PENNINGTON:    THANK YOU, MR.  
3                    FRAZEE.

4                    NEXT IS THE MARKETING DEVELOPMENT  
5                    COMMITTEE CHAIRED BY MR. PAUL RELIS.    THE  
6                    COMMITTEE DID NOT MEET THIS MONTH.    DO YOU HAVE  
7                    ANYTHING TO ADD?

8                    BOARD MEMBER RELIS:    YES, MR. CHAIR.  
9                    VACATION PREVENTED A MEETING OF THE MARKET  
10                   COMMITTEE, SO THERE IS NO REPORT.

11                   CHAIRMAN PENNINGTON:    WE ALL DESERVE A  
12                   VACATION ONCE IN A WHILE.    NEXT IS THE POLICY,  
13                   RESEARCH, AND TECHNICAL ASSISTANCE COMMITTEE,  
14                   CHAIRED BY MR. STEVEN JONES.

15                   BOARD MEMBER JONES:    THANK YOU, MR.  
16                   CHAIRMAN.    POLICY COMMITTEE MET ON JUNE 10TH.    WE  
17                   HAD FOUR ISSUES.    ONE WAS AN ISSUE THAT WE TOOK A  
18                   VOTE ON, AND IT'S GOING TO BE ON THE CONSENT  
19                   CALENDAR.    THAT WAS SOME UNENCUMBERED DOLLARS WITH  
20                   DMV ON THE TIRE FUND THAT'S GOING TO ROLL INTO THE  
21                   STATE CLEANUP CONTRACT.

22                   THEN WE HAD THREE DISCUSSION ITEMS.  
23                   THESE WERE ITEMS THAT THE COMMITTEE IS TRYING TO  
24                   STAY ON TOP OF.    ONE OF THEM DEALS WITH THE --  
25                   WITH THE BILL AND THE ALLOCATION OF \$540 MILLION

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1        THAT THE LEGISLATURE SET ASIDE LAST YEAR TO  
2        SUPPORT RENEWABLE ENERGY TECHNOLOGIES.

3                    AS MANY OF YOU KNOW, THESE BILLS ARE  
4        VIEWED AS PART OF AN OVERALL ELECTRICAL ENERGY  
5        MARKETPLACE RESTRUCTURING SET TO BEGIN NEXT YEAR.  
6        ACTION BY THE LEGISLATURE IN THIS ARENA HASN'T  
7        BEEN -- THEY'VE GOT A FORMULA SET UP.  WE'RE  
8        TRYING TO KEEP UPDATED BECAUSE WE HAVE SOME  
9        AFFECTED INDUSTRIES OBVIOUSLY WITHIN OUR PURVIEW  
10      THAT WE'RE LOOKING AT.  LANDFILL GAS HAS BEEN PUT  
11      DOWN A RUNG.  BIOMASS OR COGEN IS UP A LITTLE BIT,  
12      BUT WE'RE -- WE LOOK EVERY MONTH TO SEE WHAT THOSE  
13      ISSUES ARE TO TRY TO STAY ON TOP OF THIS THING.

14                   WE WERE GIVEN INFORMATION ON OUR  
15      CIVIL ENGINEERING CONTRACTS ON THE WASTE TIRES.  
16      THE BOARD WAS CONCERNED THAT WHILE THEY HAD VOTED  
17      TO START ALLOCATING SOME DOLLARS TO SOME CIVIL  
18      ENGINEERING PROJECTS, THEY WANTED TO KNOW THE  
19      STATUS OF THOSE.  THOSE WERE BROUGHT FORWARD AS  
20      DISCUSSION ITEMS.

21                   WE TALKED ABOUT THE WASTE TIRES IN A  
22      LOT OF LANDFILL CONSTRUCTION AREAS, AS WELL AS  
23      SOME LEVEE PROJECTS THAT WE'RE WORKING ON RIGHT  
24      NOW.  AND THEN THE -- COUPLE OF DAYS AFTER THE  
25      COMMITTEE MET, WE HAD DR. DANA HUMPHREY FROM

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1 UNIVERSITY OF MAINE, WHO IS CONSIDERED TO BE THE  
2 EXPERT IN CIVIL ENGINEERING APPLICATIONS FROM  
3 WASTE TIRES, WAS IN SACRAMENTO THROUGH OUR TIRE  
4 CONTRACT, THROUGH OUR CIVIL ENGINEERING CONTRACTOR  
5 ON TIRES.

6 AND IN THAT ONE DAY WE HAD QUITE A  
7 FEW PEOPLE, QUITE A FEW ENGINEERS AND FOLKS LIKE  
8 THAT, THAT WERE AT THAT CONFERENCE TO HEAR ABOUT  
9 THIS TECHNOLOGY. HE BROUGHT FORWARD AN AWFUL LOT  
10 OF USES THAT WE HADN'T EVEN THOUGHT OF. I DON'T  
11 THINK WE HAD THOUGHT OF THEM. AND IT BECAME REAL  
12 APPARENT THAT WE NEED TO WORK ON GETTING DR.  
13 HUMPHREY AND THOSE TECHNOLOGIES INTO CALIFORNIA,  
14 DEALING WITH PUBLIC WORKS DIRECTORS AND THOSE  
15 TYPES OF PEOPLE, WHETHER IT'S AT THEIR  
CONFERENCES

16 OR WHATEVER, BECAUSE HE HAS WAYS OF USING TIRES  
IN

17 WASHOUT AREAS, LANDSLIDE AREAS WHERE ROADS ARE  
18 TAKEN OUT, WHERE THEY DO A WHOLE RECONSTRUCTION  
19 USING THE DIRT TO SHORE UP THE TOE OF IT AND  
USING

20 TIRES AS THE FILL MATERIAL TO BRING IT BACK UP TO  
21 GRADE SO THAT YOU'VE GOT A REAL LIGHT AMOUNT OF  
22 WEIGHT ON TOP OF THAT AREA THAT'S PRONE TO FAIL.

23 ON STRUCTURES AGAINST ABUTMENT



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WALLS

24 WHERE THERE IS SOME REAL -- IT IS ACTUALLY THE  
25 CHEAPEST FILL WHEN THEY HAVE DONE THE

1 COMPARATIVES. AND I JUST THINK THAT IF PUBLIC  
2 WORKS DIRECTORS IN THE STATE UNDERSTOOD THAT THIS  
3 WAS ACTUALLY THE CHEAPEST ALTERNATIVE OR COULD BE  
4 IN THE COST PER POUND OF MATERIAL, I MEAN AS FAR  
5 AS IF THERE IS A NEED TO KEEP THE WEIGHT DOWN,  
6 THIS IS A VERY VIABLE OPTION THAT COULD GET RID OF  
7 AN AWFUL LOT OF TIRES.

8 I THINK THAT WAS AN IMPORTANT  
9 DISCUSSION. I THINK IT WAS AN IMPORTANT EVENT  
10 THAT WE HELD. AND I WANT TO COMMEND THE  
11 PERMITTING DEPARTMENT FOR PUTTING THAT TOGETHER  
12 BECAUSE THEY DID DO A GOOD JOB. THEY'RE SIGNALING  
13 ME THAT I'VE GOT TO STOP TALKING OBVIOUSLY.

14 REAL QUICKLY, WE DID HAVE A VERY  
15 PRODUCTIVE MEETING, DISCUSSION AT THE POLICY  
16 MEETING ABOUT THE INNOCENT LANDOWNER ISSUES THAT  
17 WE HAD STARTED TALKING ABOUT MANY MONTHS AGO. AND  
18 NOW WITH SB 1330 HAVE CONTINUED TO TALK, AND I  
19 THINK WE HAD GOOD DISCUSSIONS. WE BROUGHT A LOT  
20 OF THINGS FORWARD, AND WE'RE WORKING, YOU KNOW,  
21 OBVIOUSLY VERY COOPERATIVELY TO TRY TO FIGURE OUT  
22 A WAY TO MAKE THIS THING WORK. SO ALL IN ALL,  
23 GOOD WORK.

24 CHAIRMAN PENNINGTON: THANK YOU, MR.  
25 JONES.

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1                   THE ADMINISTRATION COMMITTEE MET ON  
2       JUNE 4TH.   THE ADMINISTRATION COMMITTEE, WHICH I  
3       CHAIR, MET ON JUNE 10TH AND HEARD SIX ITEMS.   TWO  
4       OF THE ITEMS ARE ON CONSENT CALENDAR, INCLUDING  
5       THE AWARDS OF 173,000 TO ACUREX ENVIRONMENTAL TO  
6       TEST THE FEASIBILITY OF USING TIRES AS A FUEL  
7       SUPPLEMENT AND THE AWARD OF THE CLEANUP CONTRACT,  
8       ENGINEERING CONTRACTS, FOR THE AB 2136 PROGRAM.

9                   OTHER ITEMS HEARD AT THE JUNE  
10      ADMINISTRATION COMMITTEE INCLUDED AN UPDATE ON THE  
11      STATUS OF OUT-OF-STATE EXPORT OF SOLID WASTE, A  
12      CONTRACT CONCEPT FOR A FINANCIAL CONSULTANT FOR  
13      THE RMDZ PROGRAM, RACK GRANTS TO LOCAL  
14      GOVERNMENTS, AND THE CLEANUP CONTRACT FOR THE TIRE  
15      PROGRAM.   THESE ITEMS WILL ALL HAVE STAFF  
16      PRESENTATIONS AND DISCUSSIONS OF THE FULL BOARD  
17      TODAY.

18                  NOW WE'LL HAVE THE REPORT FROM THE  
19      EXECUTIVE DIRECTOR, MR. CHANDLER.

20                  MR. CHANDLER:   THANK YOU.   I DO HAVE JUST  
21      A SHORT REPORT THIS MORNING AND WOULD JUST LIKE TO  
22      HIGHLIGHT A COUPLE OF ISSUES FOR YOU.   FIRST OF  
23      ALL, WE DO HAVE A SIGNIFICANT WASTE TIRE FACILITY  
24      PERMIT ON YOUR CONSENT CALENDAR TODAY, BUT I  
25      WANTED TO TAKE A MOMENT JUST TO HIGHLIGHT THIS

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1 ACCOMPLISHMENT.

2 WHEN FULLY OPERATIONAL IN ABOUT FIVE  
3 YEARS, THE GOLDEN BY-PRODUCTS FACILITY IN RURAL  
4 MERCED COUNTY PLANS TO PROCESS UP TO FOUR MILLION  
5 WASTE TIRES PER YEAR FOR USE AS TIRE-DERIVED FUEL.  
6 MR. FRAZEE MENTIONED THAT IN HIS COMMITTEE REPORT,  
7 BUT I THOUGHT IT WOULD BE IMPORTANT JUST TO NOTE  
8 THAT THIS COULD AGAIN ASSIST THE COAL-FIRED  
9 ELECTRIC GENERATING FACILITIES WHICH WILL BURN A  
10 MIX OF UP TO 20 PERCENT TIRES TO PRODUCE STEAM.

11 I THINK FOR THOSE OF YOU WHO WERE  
12 PRESENT AT THE COMMITTEE PRESENTATION, AT LEAST  
13 THIS INDIVIDUAL THOUGHT THAT WE HEARD A PRETTY  
14 GOOD PRESENTATION FROM THE OWNER OF THAT  
15 OPERATION. AND OBVIOUSLY WE LOOK AT IT AS AN  
16 IMPORTANT WEAPON IN THE BOARD'S EFFORTS TO  
REDUCE

17 THE NUMBER OF WASTE TIRES. AND I WANT TO  
COMMEND  
18 STAFF FOR PROCESSING THIS PERMIT QUICKLY AND  
19 EFFICIENTLY.

20 MR. RELIS, FOR YOUR BENEFIT, THIS  
IS  
21 AN AGRICULTURAL OPERATION THAT IS PRIMARILY IN  
THE

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22 BUSINESS OF PROCESSING ALMONDS, BUT HAS BEEN

23 PROVIDING BIOMASS FUEL TO THE ELECTRIC

GENERATING

24 INDUSTRY OVER THE PAST FEW YEARS AND ARE NOW

25 LOOKING AT THE TIRE MARKET AS AN AREA THAT THEY

1 MAY WANT TO MOVE INTO.

2 SPEAKING OF TIRE-DERIVED FUEL, I  
3 WANT TO INFORM YOU THAT STAFF HAS RECEIVED THE  
4 DATA AND SUMMARY ANALYSIS OF THE EMISSIONS WORK  
5 PERFORMED AT A CENTRAL VALLEY COAL-FIRED PLANT.  
6 THE PRELIMINARY RESULTS APPEAR TO INDICATE NO REAL  
7 CHANGE IN EMISSIONS DUE TO THE INCORPORATION OF  
8 TIRES INTO THE FUEL MIXTURE. STAFF WILL BE  
9 ANALYZING THE RESULTS WITH THE CONTRACTOR AND  
10 PRESENTING THIS INFORMATION TO THE POLICY,  
11 RESEARCH, AND TECHNICAL ASSISTANCE COMMITTEE LATER  
12 THIS SUMMER.

13 AND FINALLY, I JUST WOULD LIKE TO  
14 NOTE THAT ON JUNE 18TH, JUST EARLIER THIS MONTH,  
15 THE OFFICE OF ADMINISTRATIVE LAW APPROVED THE  
16 JOINT RULEMAKING CONDUCTED BY THE WATER BOARD AND  
17 THE WASTE BOARD IN THE IMPLEMENTATION OF THE  
18 PROVISIONS OF AB 1220. THE REGULATIONS GOVERN, OF  
19 COURSE, THE NONHAZARDOUS SOLID WASTE DISPOSAL FOR  
20 THE STATE, AND THESE COMBINED REGULATIONS BECOME  
21 EFFECTIVE JULY 18, 1997.

22 MANY STAFF HAVE BEEN INVOLVED IN  
23 THIS SIGNIFICANT RULEMAKING SINCE 1993. MOST  
24 RECENTLY THE FOLLOWING STAFF WORKED ON THE  
25 PACKAGE, AND I WOULD JUST LIKE TO TAKE A BRIEF



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1 MINUTE TO ACKNOWLEDGE THEM. OUR EFFORTS WERE  
2 COORDINATED BY SHARON ANDERSON. THE WATER BOARD'S  
3 COUNTERPART TO THAT WAS LIZ HAVEN. ASSISTANT  
4 COORDINATORS, SUE MARKIE FOR THE BOARD, ED WASIKA  
5 FOR THE WATER BOARD. LEGAL COUNSEL WAS LED BY  
6 ELLIOT BLOCK, OUR BOARD, AND FOR THE WATER BOARD,  
7 JOHN RICHARDS. AND EXECUTIVE AND MANAGEMENT  
8 CONSULTANTS WERE DOROTHY RICE AND TOM UNSELL FOR  
9 THE BOARD AND DALE CLAYPOOLE AND LISA BABCOCK FOR  
10 THE WATER BOARD. SUPPORTING PROGRAM STAFF WERE  
11 SUZANNE HAMBLETON, CHARLENE HERBST, BOB FUJII,  
12 GEORGIANNE TURNER, BRIAN LARIMORE, RICHARD CASTLE,  
13 CHRIS PECK, AND DAVID JUDD.

14 WE DO HAVE SOME NEXT STEPS TO POINT  
15 OUT AS A SECOND PART OF THE TWOFOLD ROLLOUT OF THE  
16 REGULATIONS. STAFF WILL CONTINUE TRAINING ON AB  
17 1220 REGULATION IMPLEMENTATION PROCESSES. AND  
18 DURING THE GENERAL ORIENTATION MEETINGS CONDUCTED  
19 IN APRIL THIS YEAR, WHICH WAS THE FIRST PART OF  
20 OUR ROLLOUT, MANY IMPLEMENTATION ISSUES WERE  
21 BROUGHT FORWARD FOR FURTHER RESOLUTION.

22 AND ALTHOUGH THESE IMPLEMENTATION  
23 CONCERNS WERE EXPECTED, SHARON ANDERSON AND LIZ  
24 HAVEN ANTICIPATE THAT PROVIDING FOCUSED, COMBINED  
25 TRAINING ON PROCESS AND THE ROLES FOR THE LEA'S,

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1       OUR REGIONAL BOARDS, OR I SHOULD SAY THE WATER  
2       BOARD'S REGIONAL BOARDS, AND THE WASTE BOARD, MANY  
3       ISSUES AND CONCERNS WILL BE RESOLVED AT THE  
4       WORKING STAFF LEVEL.

5                   ALL RESULTS OF THE TRAINING WILL BE  
6       CAPTURED AND RETURNED TO BOTH AGENCIES' EXECUTIVE  
7       STAFF FOR REVIEW AND FURTHER ACTIONS AS NEEDED.  
8       WITH THAT, MR. CHAIRMAN AND MEMBERS, THAT  
9       CONCLUDES MY REPORT.   THANK YOU.

10                   CHAIRMAN PENNINGTON:   THANK YOU, MR.  
11       CHANDLER.   ANY QUESTIONS OF MR. CHANDLER?   OKAY.

12                   WE WILL NOW MOVE TO THE CONSENT  
13       CALENDAR.   I UNDERSTAND MS. GOTCH HAS A QUESTION  
14       BEFORE WE TAKE IT UP.

15                   BOARD MEMBER GOTCH:   YES.   THANK YOU, MR.  
16       CHAIR.   THIS IS FOR DOROTHY RICE, PLEASE.   I JUST  
17       WANT TO CONFIRM, THIS IS ON ITEM 8, CONSIDERATION  
18       OF THE CONTRACTS FOR ENGINEERING SERVICES, AND  
19       IT'S MY UNDERSTANDING THAT THIS CONTRACT COMPLIES  
20       WITH THE BOARD'S METALLIC DISCARDS ACT BY  
21       REQUIRING THAT A CONTRACTOR REMOVE ALL MATERIALS  
22       THAT REQUIRE SPECIAL HANDLING.   AND I JUST WANTED  
23       TO GET THE CONFIRMATION IF I'M CORRECT ON THAT OR  
24       NOT.

25                   MS. RICE:   THAT'S CORRECT, MS. GOTCH,

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1 BOARD MEMBERS. FOR ANY CLEANUP THAT WE UNDERTAKE,  
2 THE FIRST THING THAT THE CONTRACTOR DOES IS ASSESS  
3 THE SITE AND BRING IN HAZARDOUS MATERIALS EXPERTS  
4 WHERE NEEDED TO SEGREGATE BOTH METALLIC DISCARDS  
5 AND ANY OTHER HAZARDOUS MATERIALS THAT MAY BE  
6 PRESENT.

7 BOARD MEMBER GOTCH: THANK YOU.

8 CHAIRMAN PENNINGTON: CONSIDERATION OF  
9 CONSENT CALENDAR. THE CONSENT CALENDAR INCLUDES  
10 ITEMS 7, 8, 13(B), 13(C), 13(F), AND 14 THROUGH  
11 47. IS THERE ANYBODY THAT WISHES TO PULL ANYTHING  
12 FROM THE CONSENT CALENDAR? OKAY.

13 IF THERE'S --

14 BOARD MEMBER JONES: MAKE A MOTION THAT  
15 WE ACCEPT THE CONSENT CALENDAR.

16 BOARD MEMBER GOTCH: SECOND.

17 CHAIRMAN PENNINGTON: WOULD THE SECRETARY  
18 CALL THE ROLL, PLEASE.

19 BOARD SECRETARY: BOARD MEMBER CHESBRO.

20 BOARD MEMBER CHESBRO: AYE.

21 BOARD SECRETARY: FRAZEE.

22 BOARD MEMBER FRAZEE:

AYE.

23 BOARD SECRETARY: GOTCH.

24 BOARD MEMBER GOTCH: AYE.

25 BOARD SECRETARY: JONES.

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1 BOARD MEMBER JONES: AYE.

2 BOARD SECRETARY: RELIS.

3 BOARD MEMBER RELIS: AYE.

4 BOARD SECRETARY: CHAIRMAN PENNINGTON.

5 CHAIRMAN PENNINGTON: AYE. CONSENT

6 CALENDAR CARRIES.

7 NEXT WE MOVE TO ITEM 54 -- THAT'S  
8 RIGHT. WE'RE TAKING IT OUT OF PLACE. ITEM 54,  
9 CONSIDERATION OF ADOPTION OF THE BOARD'S 1997  
10 STRATEGIC PLAN. SUSAN PEDERSON, RUBIA PACKARD,  
11 AND JILL JONES.

12 MR. CHANDLER: MR. CHAIRMAN, I'LL JUST  
13 INTRODUCE THIS ITEM VERY BRIEFLY AS SUSAN COMES  
14 FORWARD. AS YOU KNOW, YOU'VE ALL BEEN INVOLVED IN  
15 EXTENSIVE ONE-ON-ONE DISCUSSIONS AS WELL AS  
16 PREVIOUS BOARD AND COMMITTEE ACTION TO CONSIDER  
17 COMPONENTS OF THE STRATEGIC PLAN. I THINK WE'RE  
18 HERE TODAY TO HAVE YOU HEAR, IF YOU WILL, THE  
19 FINAL MINOR CHANGES THAT HAVE BEEN UNDERTAKEN TO  
20 INCORPORATE SOME OF YOUR COMMENTS.

21 AND SUSAN PEDERSON OF THE EXECUTIVE  
22 OFFICE IS HERE TO PRESENT THE STATUS OF OUR  
23 STRATEGIC PLAN AND TALK TO YOU MORE ABOUT JUST  
24 WHERE WE ARE IN THE PROCESS.

25 MS. PEDERSON: THANK YOU, RALPH. AND MR.



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1 CHAIRMAN AND MEMBERS OF THE BOARD, AS RALPH  
2 MENTIONED, I'M SUSAN PEDERSON WITH THE EXECUTIVE  
3 OFFICE AND THE POLICY ANALYSIS OFFICE FOR THE  
4 RECORD.

5 WE DO HAVE THE FULL STRATEGIC PLAN  
6 HERE TODAY FOR YOUR CONSIDERATION. PREVIOUSLY YOU  
7 ACTED IN MARCH TO ADOPT THE GOALS AND PRIOR TO  
8 THAT THE VISION, MISSION, AND VALUES IN FEBRUARY  
9 OF THIS YEAR.

10 IN SAN BERNARDINO IN APRIL YOU ALSO  
11 APPROVED THE OBJECTIVES, STRATEGIES, AND MEASURES  
12 THAT SERVED THOSE GOALS AND OUR VISION AND  
13 MISSION. SO TODAY WE HAVE ALL OF THOSE ELEMENTS  
14 INCORPORATED ALONG WITH THE OTHER REQUIREMENTS  
15 THAT THE GOVERNOR HAS ASKED FOR WITHIN THE  
16 STRATEGIC PLANNING PROCESS. YOU WILL HEAR A  
17 LITTLE BIT ABOUT THAT IN A MOMENT IN THE STAFF  
18 PRESENTATION.

19 ALSO, IT SHOULD BE POINTED OUT THAT  
20 THIS DOCUMENT REFLECTS CHANGES THAT WE RECEIVED  
21 FROM EACH OF YOU, AS WELL AS CAL/EPA, WHICH WILL  
22 BE PART OF THE STAFF PRESENTATION. I THINK IT'S  
23 NOTEWORTHY THAT AS WE MOVE THROUGH THE APPROVAL  
24 PROCESS, IN AGENCY'S REVIEW OF OUR DOCUMENT, THEY  
25 MENTIONED THAT OUR PLAN WAS ONE OF THE BEST AND

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1        THAT THEY WERE USING IT AS A MODEL FOR THE OTHER  
2        BOARDS AND DEPARTMENTS IN THE AGENCY.  SO I WANTED  
3        TO TAKE A MOMENT JUST TO COMMEND ALL OF YOU AND  
4        YOUR ADVISORS, ALONG WITH THE EXECUTIVE STAFF AND  
5        THE MANAGERS AND STAFF WHO HELPED PULL ALL OF THIS  
6        TOGETHER, BECAUSE A REALLY GOOD JOB HAS BEEN DONE.

7                    AND I WANT TO ESPECIALLY ACKNOWLEDGE  
8        RUBIA PACKARD FROM THE POLICY AND ANALYSIS OFFICE,  
9        ALONG WITH JILL JONES, OUR QUALITY IMPROVEMENT  
10       COORDINATOR, WHO HAVE BEEN THE WORKHORSES TO GET  
11       THIS JOB DONE AND BRING THEIR CREATIVITY AND  
12       EXCELLENT WORK TO THE PROCESS.

13                   SO WITHOUT FURTHER ADO, I'D LIKE TO  
14       CALL ON RUBIA TO GO OVER THE DESCRIPTION OF WHAT'S  
15       IN THE PLAN, THE CHANGES, AND WHAT'S NEXT.

16                   MS. PACKARD:  GOOD MORNING, CHAIRMAN  
17       PENNINGTON AND BOARD MEMBERS.  MY NAME IS RUBIA  
18       PACKARD WITH THE POLICY AND ANALYSIS OFFICE.

19                   AS SUSAN JUST MENTIONED, WE ARE  
20       BRINGING TO YOU THE FULL PLAN TODAY FOR  
ADOPTION,

21       THE BOARD'S 1997 STRATEGIC PLAN.  AND IT DOES  
22       REFLECT THE ELEMENTS THAT YOU HAVE ADOPTED  
23       PREVIOUSLY, AS WELL AS REFLECTING YOUR COMMENTS  
ON  
24       THE ELEMENTS, THE ADDITIONAL ELEMENTS THAT I'LL

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GO

25        THROUGH IN A SECOND, AND IT DOES ALSO REFLECT A

1 COUPLE OF MINOR COMMENTS FROM CAL/EPA.

2 THE ADDITIONAL ELEMENTS THAT HAVE  
3 NOT BEEN BROUGHT FORWARD TO YOU BEFORE INCLUDE A  
4 PROGRAM DESCRIPTION OF THE BOARD, A SUMMARY OF THE  
5 INTERNAL AND EXTERNAL ASSESSMENT EFFORTS USED IN  
6 THE DEVELOPMENT OF THE PLAN, A DESCRIPTION OF  
7 PLANNED IMPLEMENTATION MONITORING AND TRACKING  
8 ACTIVITIES, RESOURCE ASSUMPTIONS, FINANCIAL AND  
9 PERSONNEL YEAR INFORMATION, A DESCRIPTION OF THE  
10 METHODOLOGY USED TO DEVELOP THE PLAN, AND, LASTLY,  
11 A DESCRIPTION OF THE BOARD'S ORGANIZATION AND  
12 PROGRAM STRUCTURE.

13 THE PLAN WAS PROVIDED TO THE  
14 GOVERNOR'S OFFICE FOR REVIEW AND APPROVAL EARLIER  
15 THIS MONTH AFTER REVIEW AND APPROVAL BY AGENCY.  
16 IF THERE ARE ANY COMMENTS THAT COME OUT OF THE  
17 GOVERNOR'S OFFICE REVIEW, WE WILL BE WORKING  
WITH

18 BOARD MEMBERS TO REVISE THE PLAN AS APPROPRIATE.  
19 WE WILL PROVIDE -- IF THERE ARE MINOR EDITS, WE  
20 WILL PROVIDE THAT INFORMATION TO YOU INFORMALLY.  
21 ANYTHING ELSE WE WILL PROVIDE TO YOU THROUGH THE  
22 FORMAL PROCESS. HOWEVER, WE ARE NOT  
ANTICIPATING

23 ANY SUBSTANTIVE COMMENTS, PARTICULARLY GIVEN THE

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24 REVIEW AND APPROVAL BY AGENCY AND THEIR COMMENTS  
25 ABOUT THE EXCELLENCE OF THE PLAN.

1                   AFTER GOVERNOR'S OFFICE APPROVAL,  
2       THE PLAN WILL BE PRINTED AND DISTRIBUTED  
3       INTERNALLY AND EXTERNALLY TO INTERESTED PARTIES.  
4       IT WILL ALSO BE PLACED ON THE INTERNET ON THE  
5       BOARD'S WEBSITE AND ALSO ON THE INTRANET FOR  
STAFF  
6       TO HAVE ACCESS TO IT.

7                   IN RESPONSE TO BOARD MEMBER AND  
8       STAFF INPUT, WE WILL ALSO BE CONSIDERING HOW THE  
9       MISSION, VISION, AND VALUES CAN BEST BE  
DISPLAYED

10      AT THE BOARD, EITHER IN THE BOARD MEMBER OFFICES  
11      AND/OR BOARD CHAMBERS OR THE BOARDROOM.

12                  CURRENTLY STAFF ARE WORKING ON  
13      IMPLEMENTATION OF THE PROGRAM ASSESSMENT  
REQUIRED

14      UNDER GOAL 1 OF THE PLAN AS ADOPTED BY THE BOARD  
15      IN APRIL. THE RESULTS WILL BE BROUGHT -- THE  
16      RESULTS OF THAT PROGRAM ASSESSMENT WILL BE  
BROUGHT

17      TO THE BOARD LATER IN THE SUMMER. AND THEN  
WE'LL

18      BE FOLLOWING THAT WITH MORE DETAILED ACTION  
PLANS

19      TO IMPLEMENT THE REMAINDER OF THE GOALS AND  
20      STRATEGIES AND ANY OTHER CHANGES OR ACTIONS THAT



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21       MIGHT RESULT FROM THE PROGRAM ASSESSMENT.  
22                       I'D LIKE TO GO THROUGH THE CHANGES  
23       WITH YOU NOW. WE DID MAKE SOME MINOR CHANGES TO  
24       REFLECT THE CHANGE FROM JAMES STROCK AS CHAIRMAN  
25       OF CAL/EPA TO REFLECT PETER ROONEY -- EXCUSE ME  
--

1 SECRETARY AS ACTING SECRETARY. AND THEN WE DID,  
2 STARTING ON PAGE -- THE FIRST PAGE OF THE  
3 EXECUTIVE SUMMARY, BASED UPON BOARD MEMBER  
4 COMMENT, WE WILL BE REVISING THE FIRST SENTENCE TO  
5 WHERE IT QUOTES REDUCE, REUSE, AND RECYCLE, WE  
6 WILL BE REVISING THAT TO MORE ACCURATELY STATE THE  
7 WASTE MANAGEMENT HIERARCHY USING THE STATUTORY  
8 LANGUAGE. SO THAT CHANGE WILL BE MADE BEFORE THE  
9 FINAL PRINTING OF THE DOCUMENT.

10 THE SECOND COUPLE OF PARAGRAPHS WERE  
11 REVISED TO REFLECT A MORE DIRECT FOCUS ON THE  
12 REASON FOR PREPARING THE PLAN, TO FOCUS ON OUR  
13 REGULATORY ROLE AND THE NEED TO ESTABLISH CLEAR  
14 PRIORITIES RATHER THAN FOCUSING ON BUDGET AND  
15 REVENUE MATTERS.

16 THE NEXT CHANGE IS A PROPOSED  
CHANGE

17 THAT WILL BE MADE, AGAIN, BASED ON BOARD MEMBER  
18 INPUT. ON PAGE 1, TITLE DESCRIPTION, IT WILL BE  
19 THE SAME CHANGE, REDUCE, REUSE, AND RECYCLE,  
WE'LL

20 BE REVISING THAT TO USE THE STATUTORY LANGUAGE  
TO  
21 REFLECT THE HIERARCHY THERE.

22 BOARD MEMBER CHESBRO: WHAT PAGE NUMBER  
23 ARE YOU ON? I'M SORRY.

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24 MS. PACKARD: I'M ON PAGE 1 ENTITLED  
25 "DESCRIPTION." AT THE TOP OF THE PAGE, WE'VE  
USED

1 REDUCE, REUSE, AND RECYCLE, AND WE WILL REVISE  
2 THAT AS REQUESTED TO REFLECT THE FORMAL LANGUAGE  
3 IN THE STATUTE, REFLECTING THE WASTE MANAGEMENT  
4 HIERARCHY.

5 THE NEXT CHANGE IS ON PAGE 8. THIS  
6 CHANGE WAS REQUESTED BY CAL/EPA. ORIGINALLY WE  
7 HAD AN INSIDE COVER PAGE THAT SHOWED THE  
8 SECRETARY'S NAME AND CAL/EPA'S MISSION. THEY  
9 REQUESTED THAT WE MOVE THAT INTO THE BODY OF THE  
10 DOCUMENT ITSELF. SO IT'S NOW REFLECTED -- THEIR  
11 MISSION IS NOW REFLECTED AT THE BOTTOM OF PAGE 8.

12 ON PAGE 12, THE PARAGRAPH THAT  
13 BEGINS AT THE BOTTOM OF PAGE 11 AND CONTINUES ON  
14 TO PAGE 12, WAS REVISED BASED UPON BOARD MEMBER  
15 INPUT TO MAKE IT CLEAR THAT ALTHOUGH THE BOARD HAS  
16 A FOCUS AND A COMMITMENT ON PROVIDING QUALITY  
17 CUSTOMER SERVICE, THAT WE ARE AWARE THAT THERE MAY  
18 BE INSTANCES WHERE OUR CUSTOMERS WILL NOT AGREE  
19 WITH THE ACTIONS THAT WE ARE TAKING.

20 THAT LANGUAGE WILL BE FURTHER  
21 REVISED TO REFLECT THAT, IN THE VERY LAST  
22 SENTENCE -- EXCUSE ME -- THE SECOND TO THE LAST  
23 SENTENCE AT THE TOP OF THE PAGE THAT READS, "IT IS  
24 ALSO RECOGNIZED, HOWEVER, THAT IN A REGULATORY  
25 ENVIRONMENT THERE MAY BE INSTANCES WHEN EXTERNAL

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1 CUSTOMERS MAY NOT BE COMPLETELY SATISFIED WITH THE  
2 OUTCOME OF BOARD ACTIONS OR DECISIONS." THE  
3 PHRASE "MAY NOT BE COMPLETELY SATISFIED WITH THE  
4 OUTCOME," IT'S BEEN REQUESTED THAT WE REVISE THAT  
5 A LITTLE BIT. ONE SUGGESTION WOULD BE TO CHANGE  
6 IT TO SAY "WHEN EXTERNAL CUSTOMERS MAY NOT BE IN  
7 AGREEMENT WITH BOARD ACTIONS OR DECISIONS." AND I  
8 CAN GO OVER THAT AGAIN WITH YOU BEFORE YOU TAKE  
9 ACTION ON THE PLAN.

10 THE NEXT CHANGE WAS REQUESTED BY  
11 CAL/EPA. ON PAGE 22 THEY SIMPLY REQUESTED THAT WE  
12 ADD TO OUTPUT MEASURE NO. 2 THE PHRASE "AND  
13 CUSTOMER SATISFACTION." IT READS, "NUMBER OF  
14 STAFF TRAINED IN CONFLICT MANAGEMENT AND CUSTOMER  
15 SATISFACTION." AT THE PRESENT TIME THE BOARD AND  
16 CAL/EPA AGENCYWIDE IS FOCUSING THE DEVELOPMENT OF  
17 A COUPLE OF DIFFERENT TYPES OF CUSTOMER SATIS-  
18 FACTION TRAINING, AND THEY WANTED THAT REFLECTED  
19 IN THAT STRATEGY, SO WE HAVE ADDED THAT PHRASE.

20 AND THE LAST CHANGE IS ON THE VERY  
21 LAST PAGE OF THE PLAN -- EXCUSE ME. THAT'S NOT  
22 CORRECT. IT'S ON PAGE 42 OF THE PLAN. LANGUAGE  
23 HAS BEEN ADDED THERE TO REFLECT OR RATHER TO  
24 ACKNOWLEDGE THAT THERE ARE OTHER EFFORTS THAT  
25 SUPPORT PARTNERSHIP EFFORTS WITH ALL LEA'S,

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1 INCLUDING THE -- OUR EFFORTS THROUGH THE  
2 ENFORCEMENT ADVISORY COUNCIL. ORIGINALLY IT ONLY  
3 REFERENCED PARTNERSHIP 2000. WE WANTED TO MAKE  
4 SURE THAT THOSE OTHER EFFORTS ARE ACKNOWLEDGED AS  
5 WELL.

6 AND THOSE ARE THE CHANGES TO THE  
7 PLAN.

8 OPTIONS BEFORE YOU TODAY ARE TO  
9 ADOPT OR MODIFY THE PLAN OR TO DIRECT STAFF TO  
10 DEVELOP OTHER OPTIONS.

11 STAFF RECOMMENDS THAT THE PLAN BE  
12 ADOPTED WITH THE CHANGES THAT I HAVE NOTED. AND  
13 IN ADDITION, AFTER YOU TAKE ACTION TODAY, AT THE  
14 BEGINNING OF THE PLAN, THERE IS A LETTER THAT IS  
15 ENTITLED "MESSAGE FROM THE BOARD." AND ONCE THE  
16 BOARD DOES TAKE ACTION TODAY, WE WOULD LIKE TO  
17 HAVE YOU SIGN AN ORIGINAL COPY OF THAT LETTER,  
18 EACH SIGN THAT LETTER, SO THAT WHEN WE PRINT IT,  
19 THE COPIES, OF COURSE, HAVE YOUR SIGNATURE ON  
20 THEM.

21 THAT CONCLUDES MY PRESENTATION FOR  
22 TODAY.

23 CHAIRMAN PENNINGTON: OKAY. THANK YOU.  
24 ANY QUESTIONS OF RUBIA? OKAY. I DON'T HAVE ANY  
25 PUBLIC COMMENTS, SO I'D BE PREPARED TO ACCEPT A



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1 MOTION HERE.

2 BOARD MEMBER JONES: MR. CHAIRMAN.

3 CHAIRMAN PENNINGTON: YES, MR. JONES.

4 BOARD MEMBER JONES: MAY I MAKE A MOTION  
5 THAT WE ADOPT THE INTEGRATED WASTE MANAGEMENT  
6 BOARD'S STRATEGIC PLAN.

7 BOARD MEMBER RELIS: SECOND.

8 CHAIRMAN PENNINGTON: IT'S BEEN MOVED AND  
9 SECONDED. DO WE NEED TO INCLUDE RESOLUTION NO.  
10 97-279 IN THE MOTION?

11 BOARD MEMBER JONES: IF WE DO, MY NOTION  
12 WILL REFLECT THAT.

13 CHAIRMAN PENNINGTON: OKAY. THANK YOU.  
14 IT'S BEEN MOVED AND SECONDED. IF THERE'S NO  
15 FURTHER DISCUSSION, WILL THE SECRETARY CALL THE  
16 ROLL.

17 BOARD SECRETARY: BOARD MEMBER CHESBRO.

18 BOARD MEMBER CHESBRO: AYE.

19 BOARD SECRETARY: FRAZEE.

20 BOARD MEMBER FRAZEE: AYE.

21 BOARD SECRETARY: GOTCH.

22 BOARD MEMBER GOTCH: AYE.

23 BOARD SECRETARY: JONES.

24 BOARD MEMBER JONES: AYE.

25 BOARD SECRETARY: RELIS.

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1                   BOARD MEMBER RELIS:    AYE.

2                   BOARD SECRETARY:   CHAIRMAN PENNINGTON.

3                   CHAIRMAN PENNINGTON:   AYE.   MOTION  
4   CARRIES.   I GUESS WE HAVE TO SIGN A LETTER.

5                   MS. PACKARD:   YES.   MARLENE HAS IT.  
6   SHE'LL BRING IT AROUND TO YOU.   THANK YOU VERY  
7   MUCH.

8                   CHAIRMAN PENNINGTON:   THANK YOU.   AND I  
9   WANT TO THANK ALL OF THE STAFF, SUSAN PEDERSON,  
10   RUBIA PACKARD, JILL JONES, FOR AN OUTSTANDING JOB  
11   ON THIS DOCUMENT.   AND I KNOW YOU PUT IN A LOT OF  
12   HOURS AND A LOT OF EFFORT AND WEIGHED VERY  
13   CAREFULLY EVERYTHING EVERY BOARD MEMBER HAS SAID.  
14   AND I ASSUME THAT CAL/EPA'S INPUT HAS BEEN WEIGHED  
15   AND CONSIDERED.   SO I THANK YOU FOR AN EXCELLENT  
16   JOB.   WE APPRECIATE IT.

17                  BOARD MEMBER GOTCH:   I WANTED TO SAY THE  
18   SAME THING.   THANK YOU, MR. CHAIR.   THEY MADE THIS  
19   A VERY SMOOTH PROCESS FOR US.   WE KNOW THAT WASN'T  
20   AN EASY JOB AT TIMES, BUT THANKS, IN PARTICULAR,  
21   TO SUE PEDERSON, RUBIA PACKARD, AND JILL JONES.

22                  BOARD MEMBER JONES:   MR. CHAIRMAN.

23                  CHAIRMAN PENNINGTON:   YES, MR. JONES.

24                  BOARD MEMBER JONES:   AS A NEW BOARD  
25   MEMBER, I WANT TO THANK MY FELLOW BOARD MEMBERS

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1 BECAUSE THE STAFF KNOWS THAT I APPRECIATE THE WORK  
2 THEY DID. THEY DID A GREAT JOB. BUT I APPRECIATE  
3 THE FACT THAT WE HAD A LOT OF DIFFERENT AREAS OF  
4 CONCERN ON THIS BOARD THAT WE WANTED TO MAKE SURE  
5 WERE PROTECTED AND THE INTEGRITY OF THOSE THINGS  
6 WERE PROTECTED, AND YET WE WANTED TO PUT TOGETHER  
7 AN INTEGRATED PROGRAM.

8 AND I REALLY DO APPRECIATE THE FACT  
9 THAT WE ALL SIX OF US WORKED VERY, YOU KNOW, VERY  
10 WELL TOGETHER THROUGH THIS PROCESS TO MAKE SURE  
11 THAT THE INTEGRITY OF WHAT WE DO COMES FORWARD IN  
12 HOW WE'RE GOING TO ACT. AND I JUST WANT TO LET  
13 EVERYBODY KNOW I DO APPRECIATE THAT. I APPRECIATE  
14 THE STAFF. I THINK YOU'VE HEARD MY STORIES,  
15 LIVING THROUGH THIS THING. THIS IS AN IMPORTANT  
16 DOCUMENT TO ME, AND I KNOW IT IS TO EVERYBODY  
17 ELSE. AND I REALLY DO APPRECIATE IT.

18 CHAIRMAN PENNINGTON: THANK YOU, MR.  
19 JONES.

20 WE'LL MOVE ON TO ITEM NO. 9, UPDATE  
21 ON THE STATUS OF THE OUT-OF-STATE EXPORT OF SOLID  
22 WASTE. THEY'RE GOING TO SEND AROUND ONE TO BE  
23 SIGNED BY US. SUSAN PEDERSON, RUBIA PACKARD,  
24 MAUREEN GOODALL.

25 MS. PEDERSON: THANK YOU, AGAIN.  
AGAIN,

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1 I'M SUSAN PEDERSON WITH THE POLICY AND ANALYSIS  
2 OFFICE.

3 THE ITEM BEFORE YOU TODAY DETAILS  
4 THE STATUS OF JURISDICTIONS THAT ARE EXPORTING  
5 WASTE OUT OF STATE. IT WAS ORIGINALLY HEARD IN  
6 ADMIN COMMITTEE THIS MONTH AND PREVIOUSLY IN  
7 SEPTEMBER OF LAST YEAR. SINCE THE SEPTEMBER  
8 HEARING, WE HAD HAD TWO CHANGES THAT THIS ITEM  
9 DETAILS AND THE STAFF PRESENTATION WILL REFLECT.

10 AND IN THE ADMINISTRATION COMMITTEE  
11 IT WAS REQUESTED THAT WE ALSO BRING FORWARD FOR  
12 THE BOARD'S INFORMATION WHAT THE GRANT AND LOAN  
13 INFORMATION LOOKS LIKE TO THOSE SAME  
14 JURISDICTIONS.

15 SO WITH THAT, I'D LIKE TO CALL ON  
16 MAUREEN GOODALL TO GO OVER THAT INFORMATION WITH  
17 YOU.

18 MS. GOODALL: THANK YOU, SUSAN. GOOD  
19 MORNING. AS SUSAN SAID, MY NAME IS MAUREEN  
20 GOODALL, AND I'M ALSO WITH THE POLICY AND ANALYSIS  
21 OFFICE. AND I'LL BE OUTLINING AGENDA ITEM 9, THE  
22 UPDATE ON THE STATUS OF THE OUT-OF-WASTE EXPORT  
23 FOR SOLID WASTE.

24 AS SUSAN MENTIONED, WE ARE BRINGING  
25 THIS ITEM TO YOU TODAY AT THE REQUEST OF THE ADMIN



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1 COMMITTEE, AND IT IS FOR DISCUSSION ONLY.

2 AS YOU KNOW, WE'VE BEEN UPDATING THE  
3 ADMIN COMMITTEE FOR APPROXIMATELY THE LAST 18  
4 MONTHS. AND TODAY WE WOULD LIKE TO HIGHLIGHT THE  
5 SIGNIFICANT CHANGES SINCE THE LAST MEETING.

6 ALPINE COUNTY HAS REDUCED THEIR  
7 WASTE THAT THEY'RE EXPORTING OUTSIDE OF THE STATE  
8 FROM APPROXIMATELY 39 PERCENT TO 15 PERCENT. AND  
9 ALSO ELDORADO HAS INCREASED THEIR WASTE EXPORT  
10 FROM 35 PERCENT TO 90 PERCENT.

11 THERE ALSO HAVE BEEN EIGHT FEDERAL  
12 BILLS INTRODUCED IN CONGRESS, AND THOSE ARE  
13 OUTLINED ON PAGE, I BELIEVE IT'S, 5 OF YOUR  
14 PACKET. AND THE SIGNIFICANCE OF INCLUDING THESE  
15 BILLS IS THAT THIS COULD BE THE BEGINNING OF A  
16 TREND FOR STATES PROHIBITING WASTE FROM BEING  
17 RECEIVED IN THEIR STATES. IT'S JUST SOMETHING  
18 WE'D LIKE YOU TO KEEP IN MIND.

19 ALSO, IN THE BACK OF YOUR PACKET,  
20 THE FIRST ATTACHMENT ENTITLED "WASTE EXPORT  
21 SUMMARY," WE'VE INCLUDED THE LIST OF RURAL  
22 COUNTIES AND URBAN COUNTIES THAT ARE EXPORTING ANY  
23 WASTE OUTSIDE THE STATE OF CALIFORNIA. FOR THESE  
24 COUNTIES, WE HAVE IDENTIFIED THEIR POPULATION AS  
25 OF JANUARY OF THIS YEAR, THEIR ESTIMATED TIP FEES

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1 PAID FOR FISCAL YEAR '96-'97, THE APPROXIMATE TONS  
2 THAT HAVE BEEN DISPOSED ANYWHERE, EITHER IN STATE  
3 OR OUT OF THE STATE FOR '96-'97, THE CURRENT  
4 PERCENT THAT THESE COUNTIES ARE EXPORTING AS OF  
5 APRIL OF THIS YEAR, THEIR ESTIMATED TONS EXPORTED  
6 FOR THIS FISCAL YEAR '96-'97, THE ESTIMATED LOST  
7 REVENUE FOR FISCAL YEAR '96-'97, AND THE REASONS  
8 FOR THEIR EXPORT.

9 AND THE SECOND TABLE, SUMMARY OF  
10 GRANT AND LOAN DISTRIBUTION, IS A NEW TABLE SINCE  
11 OUR LAST UPDATE TO THE BOARD. THIS TABLE ALSO  
12 IDENTIFIES THE RURAL AND URBAN COUNTIES THAT ARE  
13 EXPORTING ANY WASTE OUTSIDE THE STATE OF  
14 CALIFORNIA AND IDENTIFIES THE RMDZ LOANS THAT  
15 THESE COUNTIES HAVE RECEIVED TO DATE.

16 IT OUTLINES THE IWMMA FUNDED GRANTS  
17 THAT THESE COUNTIES HAVE RECEIVED FOR FISCAL YEARS  
18 '95-'96 AND '96-'97 FOR THE HOUSEHOLD HAZARDOUS  
19 WASTE GRANTS, THE ENFORCEMENT AGENCY GRANTS, AND  
20 THE AB 2136 GRANTS, ALL OF WHICH ARE IN YOUR IWMA  
21 ACCOUNT.

22 ALSO, I'VE OUTLINED THE TOTAL AWARD  
23 FOR GRANTS BY FUND FOR THE IWMA ACCOUNT, THE USED  
24 OIL ACCOUNT, AND THE TIRE ACCOUNT FOR FISCAL YEARS  
25 '95-'96 AND '96-'97 FOR ALL OF THOSE COUNTIES THAT

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1 ARE EXPORTING WASTE OUTSIDE THE STATE.

2 I'D LIKE TO JUST REITERATE THAT TO  
3 DATE THERE HASN'T BEEN ANY ASSOCIATION BETWEEN TIP  
4 FEES PAID AND THE GRANTS RECEIVED FOR THESE  
5 COUNTIES OR ANY COUNTIES, FOR THAT MATTER. AND  
6 THIS INFORMATION WAS GIVEN TO YOU AT YOUR REQUEST  
7 AND IS FOR INFORMATIONAL PURPOSES ONLY. IF YOU  
8 HAVE ANY QUESTIONS, I'D BE HAPPY TO ADDRESS THEM.

9 CHAIRMAN PENNINGTON: QUESTIONS?

10 BOARD MEMBER RELIS: MR. CHAIR, JUST A  
11 COMMENT.

12 CHAIRMAN PENNINGTON: MR. RELIS.

13 BOARD MEMBER RELIS: AT THIS POINT IT  
14 STILL SEEMS THAT THE AMOUNT OF EXPORT AND ITS  
15 IMPACT ON OUR FISCAL AND OTHER ASPECTS OF OUR  
16 ORGANIZATION ARE MINOR. BUT I'M WONDERING IF IT  
17 WOULD BE IN -- KEEPING IN MIND THAT I KNOW  
18 SACRAMENTO, I THINK SACRAMENTO IS STILL IN  
19 DELIBERATIONS OVER WHETHER THEY INTEND TO EXPORT  
20 OR NOT -- WHETHER OR NOT MAYBE THERE COULD BE  
SOME

21 DISCUSSION IN POLICY COMMITTEE ABOUT SOME  
22 THRESHOLD THAT WE FEEL WOULD BECOME SERIOUS  
ENOUGH

23 FOR THE BOARD TO TAKE SOME EITHER ACTION OR  
24 PROPOSE SOMETHING. I DON'T HAVE ANYTHING IN

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MIND.

25 BUT RATHER THAN TO BE IN A REACTIVE POSITION

1       SHOULD THAT HAPPEN, BUT TO HAVE A FRAMEWORK THAT  
2       WE UNDERSTOOD THAT WE ALL AGREED TO OR AS AN  
3       INDICATOR THAT WE WOULD WANT TO DO SOMETHING.

4               CHAIRMAN PENNINGTON:   WELL, MR. RELIS,  
5       THE ADMINISTRATION COMMITTEE HAS REQUESTED THAT WE  
6       GET AN UPDATE REPORT ABOUT EVERY FOUR MONTHS OR  
7       THREE TIMES A YEAR AND TO KIND OF LOOK AT IT.  AND  
8       WE'VE ALSO ASKED THAT WE SORT OF TRACK THESE, NOT  
9       ONLY LEGISLATION IN OUR OWN STATE, BUT FEDERAL OR  
10      STATE LEGISLATION IN OTHER STATES THAT ARE AIMED  
11      AT EITHER RESTRICTING OR OPENING UP OR, YOU KNOW,  
12      HAVE SOME INFLUENCE ON THE FLOW.  AND I WOULD  
13      THINK THAT WE WOULD WANT TO WATCH SOME OF THE  
14      OTHER ORGANIZATIONS, LIKE THE STATE -- WHAT WAS  
15      IT? -- THE STATE LEGISLATIVE GROUPS AND  
THOSE THAT

16      MAY BEGIN TO TAKE SOME KIND OF FORM THAT WE  
WOULD  
17      WANT TO AT LEAST KNOW ABOUT BEFORE IT  
HAPPENED.

18              BOARD MEMBER RELIS:   WELL, MY ONLY  
POINT

19      WOULD BE WHAT IF, LET'S JUST SAY, NEXT  
MONTH SOME

20      ENTITY THAT HAD A CONSIDERABLE AMOUNT OF  
TONNAGE



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21       MADE THE MOVE AND THEN WE -- WHAT WOULD --

22                   CHAIRMAN PENNINGTON:   WHAT WOULD  
OUR

23       REACTION BE?

24                   BOARD MEMBER RELIS:   YES.   THAT'S

MORE --

25       I UNDERSTAND IT'S EXTREMELY IMPORTANT WE  
TRACK THE

1       LEGISLATIVE ACTIVITIES NATIONWIDE, BUT I'M  
2       THINKING JUST MORE OF A TRIGGER OR, ANYWAY.

3               CHAIRMAN PENNINGTON:   I MEAN THERE'S  
4       NOTHING WRONG, IF THE BOARD WOULD LIKE TO HAVE THE  
5       POLICY COMMITTEE LOOK AT DEVELOPING A POLICY OF  
6       WHAT -- WHETHER WE AGREE TO THIS KIND OF ACTIVITY  
7       OR WHETHER THERE ARE OTHER THINGS THAT WE SHOULD  
8       BE DOING.

9               BOARD MEMBER GOTCH:   MR. CHAIR, I AGREE  
10      WITH MR. RELIS.   I THINK THAT IT'S VERY IMPORTANT  
11      THAT WE DO TAKE A LOOK AT THIS.   WE NEED TO SEE IF  
12      THERE'S A DISINCENTIVE FOR JURISDICTIONS TO SHIP  
13      OUT OF STATE.   RIGHT HERE THEY CAN SEE THEY CAN  
14      SHIP 100 PERCENT OF THEIR WASTE OUT OF STATE AND  
15      STILL REAP THE BENEFITS FROM THE IWMA ACCOUNT AS  
16      FAR AS GRANTS GO.

17              BOARD MEMBER CHESBRO:   I'D LIKE TO SAY  
18      THAT FROM CONVERSATIONS I'VE HAD IN THE  
19      LEGISLATURE, THERE CONTINUES TO BE, ALTHOUGH  
20      THERE'S NO ACTIVE LEGISLATION, I DON'T THINK,  
21      RIGHT NOW AND THERE CONTINUES TO BE AN ACTIVE  
22      INTEREST ON THE PART OF SOME LEGISLATORS ON THE  
23      SUBJECT TOO, AT LEAST ON THE SENATE SIDE.

24              CHAIRMAN PENNINGTON:   BOTH PRO AND CON?  
25              BOARD MEMBER CHESBRO:   WELL, I WOULD

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1       ASSUME SO IF A BILL WERE INTRODUCED.   BUT WHAT I'M  
2       HEARING -- THE LEGISLATORS I'VE HAD HEARD FROM ARE  
3       REFERRING TO THE FAIRNESS TO OPERATORS WITHIN THE  
4       STATE WHO ARE PAYING THE FEE AND THE COMPETITION  
5       QUESTION, THAT SEEMS TO BE OF MOST INTEREST, BUT  
6       ALSO I THINK THEY'RE INTERESTED IN THIS QUESTION  
7       OF WHETHER THE EQUITY THAT MRS. GOTCH JUST  
8       MENTIONED WITH REGARDS TO THE GRANTS AND LOANS  
9       FROM THE STATE TO ENTITIES THAT AREN'T PAYING INTO  
10      THE FUND, AND I THINK THERE'S A QUESTION --  
11      THERE'S AN INTEREST IN THAT SUBJECT AS WELL.

12               BOARD MEMBER JONES:   I DON'T HAVE ANY  
13      PROBLEM.   I WOULD, IN FACT, APPRECIATE THE FACT  
14      THAT IT WAS COMING TO THE POLICY COMMITTEE BECAUSE  
15      I THINK ONE OF THE OTHER FACTORS WE HAVE TO DEAL  
16      WITH IS, AND I BROUGHT IT UP IN ADMIN, I BROUGHT  
17      IT UP AS TESTIMONY PLENTY OF TIMES ON THIS ISSUE,  
18      IS THE EFFECT THAT LEGISLATION HAS HAD ON RURAL  
19      COUNTIES AND WHAT'S DRIVING THEM TO CLOSE THEIR  
20      LANDFILLS IS NOT BEING ABLE TO COMPLY  
21      ECONOMICALLY.   SO I THINK WE'VE HAD DISCUSSIONS ON  
22      THIS, AND I THINK THAT IT'S APPROPRIATE, AND WE  
23      WILL DEFINITELY WORK ON IT.

24               CHAIRMAN PENNINGTON:   OKAY.   ANY OTHER  
25      QUESTIONS OR DISCUSSIONS?   THANK YOU.

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1                   NEXT WE'LL MOVE TO ITEM 10.   ITEM 10  
2   IS CONSIDERATION OF APPROVALS FOR FISCAL YEAR  
3   '97-'98 CONTRACT CONCEPT FOR A FINANCIAL  
4   CONSULTANT IN SUPPORT OF THE RECYCLING MARKET  
5   DEVELOPMENT REVOLVING LOAN PROGRAM.   CAREN  
6   TRGOVCICH.

7                   MS. TRGOVCICH:   GOOD MORNING, MR.  
8   CHAIRMAN AND MEMBERS.   THE ITEM BEFORE YOU TODAY  
9   IS CONSIDERATION OF APPROVAL OF A CONTRACT CONCEPT  
10  FOR FISCAL YEAR 7-8.   I'D LIKE TO TAKE A MOMENT TO  
11  REMIND THE BOARD THAT WE CAME FORWARD WITH A  
12  SIMILAR CONCEPT OR IDENTICAL CONCEPT IN THE PRIOR  
13  FISCAL YEAR, FISCAL YEAR '96-'97, BECAUSE WE HAD  
14  REMAINING DOLLARS AVAILABLE THROUGH THE EXISTING  
15  FINANCIAL SERVICES CONTRACT.   AND BECAUSE THERE  
16  WASN'T SUFFICIENT TIME AT THE END OF THE YEAR DUE  
17  TO STAFF ACTIVITIES THAT HAD GREATLY INCREASED  
18  AROUND CONTRACTING IN THAT PROGRAM, WE WERE UNABLE  
19  TO MOVE THE '96-'97 CONCEPT FORWARD FOR AWARD IN  
20  THE '96-'97 PERIOD.   THUS, YOU SEE AN IDENTICAL  
21  CONCEPT COMING FORWARD FOR FISCAL YEAR '97-'98 TO  
22  SUPPORT THE RMDZ LOAN PROGRAM.

23                   THIS IS A CONTRACT TO PROVIDE  
24  SERVICES ON AN AS-NEEDED BASIS.   WE ARE LOOKING  
25  PARTICULARLY FOR SPECIALIZED ACCOUNTING SERVICES

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1 SINCE THAT IS WHERE THE PROGRAM HAS EVOLVED OVER  
2 THE LAST SEVERAL YEARS. I WOULD ALSO LIKE TO NOTE  
3 THAT THE CONTRACT BEFORE YOU, AS WITH MANY OF OUR  
4 OTHER SERVICE CONTRACTS, FEE-FOR-SERVICE-TYPE  
5 CONTRACTS, IS FOR A TWO-YEAR PERIOD. THE CONTRACT  
6 CONCEPT DOLLAR AMOUNT BEFORE YOU IS \$115,000 FOR  
7 THAT TWO-YEAR PERIOD, WHICH WOULD COME OUT TO BE,  
8 IF IT WAS SPENT IN EQUAL AMOUNTS OVER THE TWO  
9 YEARS, AT \$57,500 PER YEAR.

10 THAT IS A SIGNIFICANT REDUCTION FROM  
11 PRIOR YEAR, WHICH WAS \$131,000 FOR AN 18-MONTH  
12 PERIOD AND FROM YEARS PRIOR TO THAT WHERE THE  
13 DOLLAR AMOUNTS WERE SIGNIFICANTLY HIGHER, OVER  
14 \$200,000, FOR THIS SIMILAR SERVICE IN PREVIOUS  
15 FISCAL YEARS. SO WE'RE SEEING A SIGNIFICANT  
16 REDUCTION IN THE RELIANCE, AND I BELIEVE THAT  
WHAT

17 THAT'S POINTING TO IS THE DEVELOPMENT OF THE  
18 EXPERTISE IN OUR OWN LOAN STAFF.

19 IF YOU HAVE ANY QUESTIONS REGARDING  
20 THE CONTRACT, I'D BE HAPPY TO ANSWER THEM AT THIS  
21 TIME.

22 CHAIRMAN PENNINGTON: QUESTIONS?

23 BOARD MEMBER CHESBRO: I HAVE A COMMENT,  
24 MR. CHAIRMAN.



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25

CHAIRMAN PENNINGTON: CERTAINLY, MR.

1 CHESBRO.

2 BOARD MEMBER CHESBRO: FOR A VARIETY OF  
3 REASONS, I HAVE A MILD LEVEL OF DISCOMFORT WITH A  
4 MULTIYEAR CONTRACT ALTHOUGH I'M WILLING TO GO  
5 ALONG WITH IT, BUT I KIND OF WANTED TO GET THOSE  
6 CONCERNS OUT THERE AND PERHAPS ASK THAT WE BE  
7 REPORTED BACK TO IN A YEAR AND THAT WE RESTATE --  
8 I THINK IT'S A MATTER OF PROCEDURE ANYWAY -- THAT  
9 WE CAN DECIDE WHETHER OR NOT TO COMPLETE THE TWO  
10 YEARS IF WE DON'T HAVE TO.

11 BUT THOSE CONCERNS ARE, FIRST OF  
12 ALL, OUR OVERALL BUDGETARY SITUATION. AND THAT  
13 REFERS NOT JUST TO THIS CONTRACT, BUT ANY OTHER  
14 MULTIYEAR CONTRACT. I THINK WE NEED TO BE AS  
15 FLEXIBLE AS POSSIBLE IN TERMS OF CHANGES THAT WE  
16 MAY DECIDE TO MAKE IN RESPONSE TO THE CHANGING  
17 FINANCIAL CONDITIONS OF THE BOARD AND OUR BUDGET.

18 IN ADDITION TO THAT, AS CAREN  
19 MENTIONED, WE HAVE AN INCREASING STAFF EXPERTISE,  
20 ALTHOUGH THAT HAS FLUCTUATED IN THE PAST. YOU  
21 KNOW, YOU CAN HAVE ONE PERSON BECOME REALLY GOOD  
22 AND THEN LEAVE AND THAT CHANGE DRAMATICALLY. SO I  
23 THINK WE NEED TO BE PREPARED. ASSUMING THE  
24 CURRENT TREND YEAR CONTINUES, I THINK A YEAR FROM  
25 NOW WE'LL HAVE AN EVEN GREATER LEVEL OF IN-HOUSE

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1 EXPERTISE, AND THE QUESTION OF HOW MUCH WE NEED TO  
2 DEPEND ON THIS CONTRACT WILL REMAIN.

3 AND I ALSO THINK FROM A FISCAL  
4 STANDPOINT WE WON'T KNOW THAT WE'VE HAD  
5 FLUCTUATIONS IN THE DEMAND ON THE LOAN FUND. AND  
6 DEPENDING IN PART ON WHAT LEVEL OF DEMAND THERE IS  
7 ON THE LOAN FUND WILL, IN PART, DETERMINE IN MY  
8 MIND WHAT KIND OF SERVICES WE NEED TO PROVIDE.  
9 AND I CERTAINLY HOPE WE'VE GOT A LOT OF LOANS  
10 GOING A YEAR FROM NOW AND THERE'S A BIG DEMAND ON  
11 THE FUND.

12 SO ALL THOSE FACTORS I'D JUST LIKE  
13 THE BOARD TO BE PREPARED AND PERHAPS GIVE STAFF  
14 DIRECTION TO BRING BACK TO THE MARKETS COMMITTEE,  
15 DOESN'T HAVE TO NECESSARILY COME TO THE BOARD,  
BUT  
16 JUST BRING BACK TO THE MARKETS COMMITTEE A REPORT  
17 ON THE STATUS OF THE CONTRACT MIDTERM A YEAR FROM  
18 NOW SO THAT IT CAN BE LOOKED AT.

19 MS. TRGOVCICH: PERHAPS, MR. CHAIRMAN  
AND  
20 MEMBERS, WHAT WE COULD DO, SINCE WE HAVE MULTIPLE  
21 CONTRACTS MOVING OUT UNDER THIS PROGRAM FOR  
22 PURPOSES OF SUPPORT IN THE CLOSING OF THE LOANS,  
23 THE SERVICING OF THE LOANS, AND SPECIALIZED

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24 CREDITOR ASSISTANCE, IT WOULD BE APPROPRIATE FOR  
25 US TO SET A ROUTINE REVIEW WITH THE COMMITTEE

1        AROUND ALL OF THOSE CONTRACTS.

2                BOARD MEMBER CHESBRO:    THAT WOULD BE  
3        APPROPRIATE.

4                BOARD MEMBER RELIS:    AS CHAIR OF THAT  
5        COMMITTEE, I'D BE MORE THAN HAPPY TO SEE THAT.    I  
6        THINK MR. CHESBRO'S POINTS ARE WELL TAKEN.    AND  
7        MULTIYEAR CONTRACTS, DEMAND, LOAN DEMAND,  
8        EXPERTISE, ALL THESE FACTORS NEED TO BE  
9        PERIODICALLY LOOKED AT.    DO THAT IN COMMITTEE.

10               MS. TRGOVCICH:    MAYBE JUST TO EASE YOUR  
11        MIND SOMEWHAT, THE TASKS IN THE SCOPE OF WORK  
12        RIGHT NOW UNDER THIS CONCEPT ARE REALLY NO  
13        DIFFERENT FROM THE TASKS UNDER PRIOR YEARS.    IT'S  
14        JUST MORE A MATTER OF THE EMPHASIS.    AS WE HAVE  
15        BEEN GETTING INVOLVED WITH MORE AND MORE COMPLEX  
16        FINANCIAL STRUCTURES AND DEAL NEGOTIATIONS, WE  
17        FOUND THAT WE NEED IN OUR PRIME CONTRACTOR TO HAVE  
18        THAT SPECIALIZED ACCOUNTING EXPERTISE.    SO THE  
19        OVERALL TASKS HAVEN'T CHANGED.    IT'S MORE THE  
20        ABILITY TO BE ABLE TO HAVE THAT EXPERTISE ON CALL  
21        ON A DAILY BASIS.

22               CHAIRMAN PENNINGTON:    ALL RIGHT.    AND I  
23        ASSUME THAT, LIKE ALL OUR CONTRACTS, THERE'S A  
24        30-DAY ESCAPE CLAUSE.

25               MS. TRGOVCICH:    ABSOLUTELY.    THIS

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1 CONTRACT, LIKE ALL OTHER CONTRACTS, WE HAVE THE  
2 ABILITY TO TERMINATE THAT CONTRACT. AND WHAT'S A  
3 LITTLE BIT DIFFERENT, THIS ISN'T A CONTRACT FOR  
4 THE DEVELOPMENT OF A SPECIFIC PRODUCT. SO,  
5 THEREFORE, WE DON'T EVEN HAVE TO -- WE CAN JUST  
6 DECIDE NOT TO PURSUE ANY SERVICES UNDER THAT  
7 CONTRACT; AND, THEREFORE, WE WOULD NOT PAY OUT ANY  
8 FUNDS TO THE CONTRACTOR AS WELL.

9 CHAIRMAN PENNINGTON: GOOD. ANY OTHER  
10 QUESTIONS?

11 BOARD MEMBER RELIS: MR. CHAIR, I'D LIKE  
12 TO MOVE RESOLUTION 97-234 CONCERNING THE CONTRACT  
13 CONCEPT FOR OUR FINANCIAL CONSULTANT.

14 BOARD MEMBER FRAZEE: SECOND.

15 CHAIRMAN PENNINGTON: IT'S BEEN MOVED AND  
16 SECONDED. ANY FURTHER DISCUSSION?

17 BOARD MEMBER CHESBRO: MAY I ASK THE  
18 MAKER TO INCLUDE LANGUAGE IN THE MOTION WHICH  
19 INDICATES, AS HE AGREED, THAT WE WOULD HAVE  
20 PERIODIC REVIEWS AS NECESSARY, BUT AT LEAST  
ONE

21 ANNUAL REVIEW DURING THE TWO-YEAR TERM, THIS  
22 CONTRACT AND ANY OTHERS THAT ARE COMING  
BEFORE US

23 FOR MULTIYEAR CONTRACTS?

24 BOARD MEMBER RELIS: YES. MOTION



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WOULD

25 BE AMENDED TO ACCEPT THAT AND TO INDICATE  
THAT

1        THAT WOULD BE DONE, I BELIEVE, IN COMMITTEE.

2                BOARD MEMBER CHESBRO:    RIGHT.

3                BOARD MEMBER RELIS:    OKAY.

4                CHAIRMAN PENNINGTON:    OKAY.    IT'S --

5        MOTION HAS BEEN AMENDED AND AGREED TO BY THE

6        SECOND TO INCLUDE A REVIEW WITHIN A YEAR.    WILL

7        THE SECRETARY CALL THE ROLL.

8                BOARD SECRETARY:    FIRST, COULD I ASK WHO

9        SECONDED THAT.

10               CHAIRMAN PENNINGTON:    YES.    MR. FRAZEE.

11               BOARD SECRETARY:    BOARD MEMBER CHESBRO.

12               BOARD MEMBER CHESBRO:    AYE.

13               BOARD SECRETARY:    FRAZEE.

14               BOARD MEMBER FRAZEE:    AYE.

15               BOARD SECRETARY:    GOTCH.

16               BOARD MEMBER GOTCH:    AYE.

17               BOARD SECRETARY:    JONES.

18               BOARD MEMBER JONES:    AYE.

19               BOARD SECRETARY:    RELIS.

20               BOARD MEMBER RELIS:    AYE.

21               BOARD SECRETARY:    CHAIRMAN PENNINGTON.

22               CHAIRMAN PENNINGTON:    AYE.    MOTION

23        CARRIES.

24               MOVE TO ITEM 11.

25               MS. TRGOVCICH:    ITEM NO. 11, MR. CHAIRMAN

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1 AND MEMBERS, IS CONSIDERATION OF AWARD OF THE TIRE  
2 RECYCLING PROGRAM FY '96-'97 RUBBERIZED ASPHALT  
3 CONCRETE GRANTS. JUST A VERY BRIEF BACKGROUND FOR  
4 YOU.

5 AT THE BOARD'S NOVEMBER 1996  
6 MEETING, THE BOARD ALLOCATED \$200,000 TO BE MADE  
7 AVAILABLE TO LOCAL JURISDICTIONS FOR THE USE OF  
8 RUBBERIZED ASPHALT CONCRETE. OVER THE SUBSEQUENT  
9 PERIOD, A PROCESS AND APPROACH WAS DEVELOPED  
10 WHEREBY FOUR LOCAL JURISDICTIONS WERE IDENTIFIED  
11 AS POTENTIAL RECIPIENTS, SELECTED RECIPIENTS, FOR  
12 THOSE FUNDS. THEY INCLUDE THE CITY OF RICHMOND,  
13 THE CITY OF SACRAMENTO, THE COUNTY OF SACRAMENTO,  
14 AND THE SAN FRANCISCO DEPARTMENT OF PUBLIC WORKS.

15 THIS ITEM, WHEN IT WAS PRESENTED IN  
16 COMMITTEE, PROVIDED A MORE DETAILED REVIEW OF THE  
17 SCOPE OF THOSE PROJECTS. AT THE TIME OF THE  
18 PRESENTATION OF THIS ITEM IN COMMITTEE, IT WAS  
19 ALSO MADE -- INFORMATION WAS PROVIDED TO THE  
20 COMMITTEE TO INDICATE THAT THE FULL \$50,000 WOULD  
21 NOT BE REQUESTED BY ALL FOUR JURISDICTIONS. THE  
22 CITY OF RICHMOND REQUESTED \$40,000. THE CITY OF  
23 SACRAMENTO ORIGINALLY REQUESTED 50,000, BUT  
24 MODIFIED THEIR REQUEST TO 40,000 WHEN THEY WERE  
25 MADE AWARE OF INELIGIBLE EXPENSES THAT WERE

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1 INCLUDED IN THE APPLICATION. AND THE COUNTY OF  
2 SACRAMENTO AND SAN FRANCISCO DEPARTMENT OF PUBLIC  
3 WORKS REMAIN AT \$50,000.

4 SO UNDER THIS ITEM WE ARE SEEING  
5 \$180,000 BEING RECOMMENDED FOR AWARD THROUGH  
6 STANDARD AGREEMENTS TO THESE FOUR LOCAL  
7 JURISDICTIONS. AT THE TIME OF THE COMMITTEE  
8 MEETING, WE WERE PROVIDED WITH ONE RESOLUTION  
THAT

9 HAD BEEN MADE AVAILABLE TO US BY THE LOCAL  
10 JURISDICTION, COMMITTING THE LOCAL MATCHING  
FUNDS.

11 SINCE THAT TIME WE HAVE RECEIVED THE OTHER THREE  
12 RESOLUTIONS. ALL FOUR RESOLUTIONS HAVE BEEN  
13 REVIEWED BY LEGAL COUNSEL AND DETERMINED TO  
14 CONTAIN THE APPROPRIATE LANGUAGE AND INFORMATION  
15 NECESSARY TO MOVE THESE PROJECTS FORWARD AND  
16 COMMIT THE FUNDS LOCALLY FOR THE 50-PERCENT  
MATCH.

17 AND I BELIEVE THAT WAS THE ONE  
18 REMAINING OUTSTANDING ITEM THAT WE HAD. AND I  
19 BELIEVE ALSO THE COUNTY OF SACRAMENTO AT THAT  
TIME

20 HAD ALSO SUBMITTED INFORMATION WHICH WOULD  
21 IDENTIFY THEIR INELIGIBLE EXPENSES AND REPLACE  
22 THEM WITH ELIGIBLE EXPENSES. AT THAT TIME THE

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23 COUNTY SUBMITTED A PROPOSAL WHICH WOULD IN A  
SENSE

24 ENLARGE THE PROPOSED PROJECT, AND THOSE EXPENSES  
25 WERE DETERMINED TO BE ELIGIBLE AND WITHIN THE

1 SCOPE OF THE ORIGINAL ALLOCATION.

2 SO WITH THAT, I CONCLUDE MY  
3 PRESENTATION AND AM AVAILABLE FOR ANY QUESTIONS  
4 YOU MIGHT HAVE.

5 CHAIRMAN PENNINGTON: ANY QUESTIONS OF  
6 MS. TRGOVCICH? IF NOT, I'D LIKE TO MAKE THE  
7 MOTION TO ADOPT THE COMMITTEE'S RECOMMENDATION TO  
8 AWARD TO FOUR APPLICANTS FOR A TOTAL \$180,000 FOR  
9 THE DEMONSTRATION OF RUBBERIZED ASPHALT CONCRETE  
10 AND APPROVE RESOLUTION NO. 97-248.

11 BOARD MEMBER GOTCH: SECOND

12 CHAIRMAN PENNINGTON: IT'S BEEN MOVED AND  
13 SECONDED. ANY FURTHER DISCUSSION? IF NOT, WILL  
14 THE SECRETARY CALL THE ROLL.

15 BOARD SECRETARY: BOARD MEMBER CHESBRO.

16 BOARD MEMBER CHESBRO: AYE.

17 BOARD SECRETARY: FRAZEE.

18 BOARD MEMBER FRAZEE: AYE.

19 BOARD SECRETARY: GOTCH.

20 BOARD MEMBER GOTCH: AYE.

21 BOARD SECRETARY: JONES.

22 BOARD MEMBER JONES: AYE.

23 BOARD SECRETARY: RELIS.

24 BOARD MEMBER RELIS: AYE.

25 BOARD SECRETARY: CHAIRMAN PENNINGTON.



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1                   CHAIRMAN PENNINGTON:    AYE.

2                   MS. TRGOVCICH:   MR. CHAIRMAN, PERHAPS  
3   BEFORE YOU MOVE ON TO THE NEXT ITEM, IF I CAN JUST  
4   TAKE A MOMENT TO APPRISE THE BOARD THAT WITH THIS  
5   APPROVAL THIS MORNING, WE WILL WORK IN THE  
6   REMAINING FEW DAYS TO FINALIZE THE AGREEMENTS WITH  
7   THESE FOURS JURISDICTIONS.  IT'S GOING TO BE A  
8   FRENZY OF MOVING COPIES BACK AND FORTH AND  
9   OVERNIGHT MAIL.

10                   THIS WILL CONCLUDE THE REMAINING  
11   AGREEMENTS THAT WERE -- FOR WHICH FUNDS WERE  
12   ALLOCATED UNDER THE '96-'97 PERIOD.  WE ARE  
13   AWAITING RECEIPT -- SO WE HAVE THESE FOUR RAC  
14   GRANTS.  WE ARE CURRENTLY AWAITING RECEIPT OF THE  
15   INTERAGENCY AGREEMENT WITH LOS ANGELES.  I WAS  
16   JUST NOTIFIED BY MIKE MOHAJER THAT THAT WAS PUT IN  
17   THE MAIL TO US YESTERDAY.  SO WE SHOULD BE  
18   RECEIVING IT VERY SHORTLY.

19                   AND JUST TO MAYBE REFRESH YOUR  
20   MEMORIES, THAT IS THE AGREEMENT ON THE \$500,000  
21   TECHNOLOGY CENTER FOR WHICH IT WAS THE BOARD'S  
22   INTENT AND STATEMENT ON THE RECORD THAT YOU WANTED  
23   TO SEE LOCAL GOVERNMENT PROVIDING SERVICES TO  
24   LOCAL GOVERNMENT AND THAT YOU WERE PURSUING THIS  
25   INTERAGENCY AGREEMENT IN LIEU OF A COMPETITIVE BID

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1       PROCESS IN ORDER TO SECURE THOSE TYPE OF  
2       ARRANGEMENTS.  SO THAT WOULD BRING TO COMPLETION  
3       THE '96-'97 ALLOCATIONS.

4               BOARD MEMBER CHESBRO:  WE LIKE TO LIVE BY  
5       THE SKIN OF OUR TEETH HERE.

6               CHAIRMAN PENNINGTON:  RIGHT.  I WAS GOING  
7       TO MAKE A COMMENT THAT ON SOME OF THESE THINGS, I  
8       THINK WE HAVE TO -- WHILE WE HAVE A JUNE 30TH  
9       FISCAL DEADLINE, THAT WE SHOULD PROBABLY HAVE OUR  
10      OWN DEADLINE.  THIS L.A. CONTRACT WAS IN THEIR  
11      HANDS IN FEBRUARY, AND THEY'RE JUST GETTING IT  
12      BACK TO US.  I THINK WE SHOULD HAVE CERTAINLY MADE  
13      MAY BOARD MEETING THE DEADLINE FOR THEM SO THAT  
14      WE'RE NOT IN THIS SCRAMBLING POSITION ALL THE  
15      TIME.  AND I THINK THAT OVER THE NEXT YEAR, WE  
16      NEED TO LOOK AT HOW WE HANDLE SOME OF THESE  
17      THINGS.

18              BOARD MEMBER RELIS:  MR. CHAIR, I THINK  
19      THAT'S A GOOD SUGGESTION.  AND IT WOULD BE  
20      CERTAINLY IN THE DOMAIN OF THE ADMIN COMMITTEE TO  
21      LOOK AT.

22              CHAIRMAN PENNINGTON:  I WOULD LOVE TO  
23      TAKE THAT RESPONSIBILITY.  THANK YOU.

24              BOARD MEMBER CHESBRO:  MAY I SAY, IN  
25      ADDITION TO YOUR COMMENTS, MR. CHAIRMAN, THAT

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1       WHILE ALL THESE PROJECTS HAVE HAD THEIR UPS AND  
2       DOWNS AND BUMPS IN THE ROAD, IF YOU WILL, I THINK  
3       THAT A LOT OF PEOPLE PUT A LOT OF HARD WORK INTO  
4       GETTING THEM TO WHERE THEY ARE.  AND I JUST WANTED  
5       TO THANK THEM FOR ALL OF THEIR EFFORT IN VARIOUS  
6       BOARD OFFICES AND IN OR OUR STAFF.  AND THANK YOU  
7       FOR APPROVING THE FOUR PROJECTS.  IT WAS A LITTLE  
8       TIGHT ON THOSE AND THE L.A. PROJECT.

9                       AND, OF COURSE, THE 1ST ISN'T HERE  
10       YET.  WE'RE ASSUMING THE GOOD EFFORT OF EVERYBODY  
11       IS GOING TO GET THEM ACROSS THE FINISH LINE HERE.

12                   CHAIRMAN PENNINGTON:  OKAY.  THANK YOU.  
13       NOW WE'LL MOVE TO ITEM 12, CONSIDERATION OF AWARD  
14       OF FISCAL '96-'97 ILLEGAL WASTE TIRE ENVIRONMENTAL  
15       SERVICES CONTRACT FOR THE STABILIZATION AND  
16       ABATEMENT OF ILLEGAL WASTE TIRE SITES.  DOROTHY  
17       RICE.

18                   MS. RICE:  THANK YOU, MR. CHAIRMAN,  
19       MEMBERS.  JERRY OBERHELMAN WILL MAKE THIS  
20       PRESENTATION FOR YOU.

21                   MR. OBERHELMAN:  CHAIRMAN PENNINGTON,  
22       BOARD MEMBERS.  EIGHT BIDDERS SUBMITTED  
23       QUALIFICATION STATEMENT PACKAGES FOR THE INITIAL  
24       REQUEST FOR QUALIFICATIONS BACK ON APRIL THE 23D  
25       OR APRIL THE 28TH.  I'M SORRY.  SEVEN OF THE EIGHT

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1        PACKAGES FAILED TO MEET MINIMUM QUALIFICATION  
2        REQUIREMENTS AND WERE DEEMED NONRESPONSIVE.

3                        CONSEQUENTLY THE BID SUBMITTAL DATE  
4        WAS EXTENDED TO MAY 23D.    WHEN WE RECEIVED OUR --  
5        ALL SUBMITTALS ON MAY 23D, WE HAD NINE PACKAGES  
6        FOR REVIEW, OF WHICH FIVE WERE RESPONSIVE AND FOUR  
7        WERE AGAIN NONRESPONSIVE.

8                        THE SELECTION PANEL THEN TOOK THE  
9        SELECTION CRITERIA WEIGHTING FACTORS AND GRADED  
10       THE FIVE RESPONSIVE PACKAGES.    AND FOLLOWING THE  
11       WEIGHTING, WE LISTED-SHORT THE THREE TOP RANKED  
12       FIRMS.    FROM THE INTERVIEWS OF THE THREE TOP  
13       FIRMS, THE SELECTION PANEL RANKED IN ORDER OF  
14       PREFERENCE THE FIRMS DEEMED MOST HIGHLY QUALIFIED  
15       TO PROVIDE THE REQUIRED SERVICES.

16                       THE FINAL RANKING CONSIDERED BOTH  
17       THE WEIGHTING FACTORS OF THE SELECTION CRITERIA  
18       AND THE ABILITY OF THE FIRM TO MAXIMIZE  
19       COST-EFFECTIVE REMEDIATION BY RECYCLING, REUSE,  
20       AND TRANSFORMATION.

21                       THE PANEL UNANIMOUSLY SELECTED

SUKUT

22       CONSTRUCTION COMPANY AS THE TOP RANKED FIRM.  
23       AMERICAN TIRE DISPOSAL, AND THE JOINT VENTURE OF  
24       C.C. MEYERS AND CEM ENERGY TIED FOR SECOND IN  
25       ORDER OF RANKING.



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1                   THE PANEL THEN ADDRESSED THE ISSUE  
2           OF ONE OR MORE CONTRACTS.   THEY COMPARED THE  
3           APPROVED WASTE TIRE PROJECTS PROGRAM FOR  
4           REMEDiation UNDER THIS PROPOSED CONTRACT WITH THE  
5           AMOUNT OF MONEY AVAILABLE FOR THE CONTRACT.   THEY  
6           ALSO COMPARED THE PROJECTS AND TOOK A LOOK AT THE  
7           COST OF THE PROJECTS AND FOUND THAT TWO OF THE  
8           LARGER PROJECTS UNDER THIS PROGRAM WOULD CONSUME  
9           THE LARGEST SHARE OF THE MAJORITY OF THE MONEY.  
10          ALSO, A NEW REQUEST FOR QUALIFICATIONS FOR ANOTHER  
11          TIRE CONTRACT IS SCHEDULED FOR RELEASE LATER THIS  
12          YEAR IN THE AMOUNT OF TWO AND A HALF MILLION.

13                   BASED ON THE ABOVE DELIBERATIONS,  
14          STAFF RECOMMENDS AWARD OF ONE CONTRACT TO SUKUT  
15          CONSTRUCTION FOR THE FULL AMOUNT OF AVAILABLE  
16          FUNDS.   THAT'S MY PRESENTATION.

17                   CHAIRMAN PENNINGTON:   THANK YOU.   ANY  
18          QUESTIONS?   ANY QUESTIONS?   MR. JONES.

19                   BOARD MEMBER JONES:   MR. CHAIRMAN, I'LL  
20          MAKE A MOTION THAT WE ADOPT RESOLUTION 97-235.

21                   BOARD MEMBER GOTCH:   I'LL SECOND.   AND  
22          THIS WE'RE SEEING IN FRONT OF THE BOARD BECAUSE  
23          OF  
24          SOME QUESTIONS I HAD HAD IN COMMITTEE, AND THOSE  
25          HAVE BEEN ANSWERED REGARDING THE PANEL SELECTION  
                PROCESS.   I'LL GLADLY SECOND THIS MOTION.

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1                   MS. RICE: MEMBERS, THERE MAY BE SOME  
2       NEED FOR CLARIFICATION TO THE RESOLUTION IN YOUR  
3       ITEM. IF I RECALL, THAT RESOLUTION STILL SPEAKS  
4       TO A \$1.5 MILLION AMOUNT IN YOUR PRINTED ITEM. IN  
5       CONJUNCTION WITH THE ITEM THAT YOU APPROVED ON  
6       CONSENT EARLIER TODAY, YOU SPOKE TO ALLOCATING  
7       REMAINING UNALLOCATED FUNDS TO THIS PARTICULAR  
8       CONTRACT.

9                   WE DO HAVE KNOWLEDGE OF WHAT THE  
10      EXACT AMOUNT OF THAT ALLOCATION MIGHT BE. SO YOU  
11      COULD TAKE THE APPROACH OF TRYING TO SPECIFY A  
12      DOLLAR AMOUNT TODAY, OR YOU COULD TAKE THE  
13      APPROACH, AS WAS DISCUSSED IN POLICY COMMITTEE AND  
14      IN THE ITEM ON CONSENT, OF INDICATING AN UP TO  
15      2.25 MILLION, DEPENDING UPON AVAILABLE FUNDS. WE  
16      WOULD HAVE THE FULL UNDERSTANDING THAT ANY AMOUNT  
17      WHAT WENT BEYOND AMOUNTS THAT YOU ARE FAMILIAR  
18      WITH TODAY, WE WOULD COME BACK TO YOU TO REQUEST  
19      ABILITY TO PUT THOSE MONIES INTO THE CONTRACT. SO  
20      WE WOULD NOT TAKE YOUR MOTION OF AWARDED THE  
21      CONTRACT FOR AN AMOUNT UP TO 2.5 TO INDICATE THAT  
22      YOU'RE GIVING US THE AUTHORITY TO SPEND 2.25, BUT  
23      RATHER THAT THE CONTRACT CAN ACCOMMODATE THAT  
24      AMOUNT, BUT WE WOULD SEEK FURTHER DIRECTION FROM  
25      YOU SHOULD WE GO BEYOND AMOUNTS THAT YOU'RE

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1 CURRENTLY FAMILIAR WITH FOR REALLOCATION.

2 BOARD MEMBER JONES: MR. CHAIRMAN.

3 CHAIRMAN PENNINGTON: YES.

4 BOARD MEMBER JONES: I THINK I'D LIKE TO  
5 AMEND MY MOTION TO INCLUDE THAT LANGUAGE OF  
6 BETWEEN 1.5 AND UP TO 2.25.

7 CHAIRMAN PENNINGTON: NOT LESS THAN 1.5  
8 AND UP TO A MAXIMUM OF 2.25.

9 BOARD MEMBER JONES: 2.25 MILL.

10 BOARD MEMBER RELIS: AND I GUESS FOR  
11 PURPOSES OF FAMILIARITY, THE 1.5 IS THE FAMILIAR  
12 NUMBER.

13 MS. RICE: THE 1.5 IS THE AMOUNT THAT YOU  
14 ORIGINALLY ALLOCATED. WHEN YOU DID THE ALLOCA-  
15 TIONS IN NOVEMBER, YOU INDICATED THAT THE CONTRACT  
16 SHOULD GO OUT TO BID FOR AN UP TO 2.25, DEPENDING  
17 ON HOW OTHER GRANT OFFERINGS WENT. WHEN YOU  
18 REALLOCATED IN APRIL, YOU DID NOT SPECIFICALLY  
19 REALLOCATE MONEY TO THE CLEANUP CONTRACT. BUT  
20 THEN IN THE JUNE DISCUSSION, IT WAS POINTED OUT  
21 THAT THERE ARE A FEW ITEMS, SUCH AS ONE THAT

CAREN

22 JUST ALLUDED TO, WHERE 20,000 MAY BE AVAILABLE  
FOR  
23 REALLOCATION.

24 THERE WAS ONE INTERAGENCY

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AGREEMENT

25 WITH DEPARTMENT OF MOTOR VEHICLES FOR \$15,000  
THAT

1 WE WERE UNABLE TO EXECUTE. THAT MONEY WOULD BE  
2 AVAILABLE. THERE IS ALSO SOME MONEY AVAILABLE  
3 FROM FUNDS THAT WERE SET ASIDE FOR OFFICE OF  
4 ADMINISTRATIVE HEARINGS THAT HAS NOT BEEN FULLY  
5 EXPENDED.

6 WE DO HAVE A CHART THAT SHOWS THESE  
7 THINGS THAT I COULD PROVIDE YOU, MR. RELIS. SO  
8 THOSE ARE THE FUNDS THAT I'M REFERRING TO WHEN I  
9 SAY THE FUNDS THAT YOU ARE CURRENTLY FAMILIAR  
10 WITH.

11 CHAIRMAN PENNINGTON: OKAY. AND THE  
12 SECOND AGREES TO THE AMENDMENT TO THE MOTION?

13 BOARD MEMBER GOTCH: YES.

14 CHAIRMAN PENNINGTON: OKAY. IS THERE ANY  
15 FURTHER DISCUSSION? IF NOT, WILL THE SECRETARY  
16 CALL THE ROLL.

17 BOARD SECRETARY: BOARD MEMBER CHESBRO.

18 BOARD MEMBER CHESBRO: AYE.

19 BOARD SECRETARY: FRAZEE.

20 BOARD MEMBER FRAZEE: AYE.

21 BOARD SECRETARY: GOTCH.

22 BOARD MEMBER GOTCH: AYE.

23 BOARD SECRETARY: JONES.

24 BOARD MEMBER JONES: AYE.

25 BOARD SECRETARY: RELIS.



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1 BOARD MEMBER RELIS: AYE.

2 BOARD SECRETARY: CHAIRMAN PENNINGTON.

3 CHAIRMAN PENNINGTON: AYE. MOTION  
4 CARRIES.

5 MOVE TO ITEM 13, CONSIDERATION OF  
6 STATE LEGISLATION. PATTY ZWARTS.

7 MS. ZWARTS: GOOD AFTERNOON, CHAIRMAN  
8 PENNINGTON AND MEMBERS. I THOUGHT BEFORE I  
9 STARTED A REVIEW OF THE INDIVIDUAL BILLS, I'D GIVE  
10 YOU AN UPDATE ON A FEW BILLS WHERE THE BOARD HAD  
11 CONSIDERED THEM PREVIOUSLY WHERE AMENDMENTS HAD  
12 BEEN TAKEN OR SITUATIONS HAVE CHANGED.

13 THE FIRST BILL IS SB 1196 BY LESLIE  
14 DEALING WITH ALPINE COUNTY. I BELIEVE AT THE LAST  
15 BOARD MEETING WE REPORTED THAT THE AUTHOR'S OFFICE  
16 WAS GOING TO DROP THIS BILL. WE ARE WORKING WITH  
17 THE AUTHOR'S OFFICE TO HELP THEM PREPARE THEIR  
18 PLANNING DOCUMENTS. THE AUTHOR, HOWEVER, HAS  
19 DECIDED TO CONTINUE MOVING THE BILL. AND IT WILL  
20 BE SET FOR HEARING ON THE 7TH IN ASSEMBLY NATURAL  
21 RESOURCES.

22 BOARD MEMBER GOTCH: WOULD YOU PLEASE  
23 INDICATE WHICH BILL YOU ARE TALKING ABOUT? I'M  
24 SORRY.

25 MS. ZWARTS: THAT WOULD BE SB 1196,

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1       LESLIE, DEALING WITH ALPINE COUNTY PLANNING  
2       DOCUMENTS.

3                       THE NEXT BILL TO GIVE YOU AN UPDATE  
4       ON IS AB 84, WOODS, DEALING WITH RICE STRAW.  AT A  
5       PREVIOUS BOARD MEETING, THE BOARD SUPPORTED IF  
6       AMENDED THIS BILL, AND THERE WERE SOME ISSUES ON A  
7       FISCAL.  TO LET YOU KNOW, THAT THE BILL WAS  
8       AMENDED THIS MORNING.  ALL THE BOARD AMENDMENTS  
9       ARE IN AND OUR FISCAL CONCERNS ARE RESOLVED WITH  
10      THAT BILL.

11                      ANOTHER ONE IS SB 1175 BY SHER  
12      DEALING WITH AN OIL PROGRAM.  WE ALSO HAD SOME  
13      MINOR AMENDMENTS THAT WE'RE PROPOSING TO THAT  
14      BILL.  THOSE, AGAIN, HAVE BEEN CORRECTED IN THE  
15      BILL.

16                      SB 1179, POLANCO, DEALING WITH  
17      INDEMNIFICATION AGREEMENTS, ALSO WAS BEFORE THE  
18      BOARD AS A NEUTRAL, AND WE WERE ASKED TO WORK  
19      WITH

20      THE AUTHOR'S OFFICE ON AN AMENDMENT.  AND WE  
21      STILL

22      ARE, I UNDERSTAND, WORKING WITH THE AUTHOR'S  
23      OFFICE ON THAT PARTICULAR AMENDMENT.  MR.  
CHESBRO,

24      I KNOW IS HELPING ME WITH THAT.

25                      ANOTHER ONE IS SB 1330 BY SENATOR

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24        LOCKYER.    THIS BILL IS IN ASSEMBLY NATURAL  
25        RESOURCES.    IT'S NOT SET YET.    IT DEALS WITH THE

1 RURAL CLEANUP PROGRAM. THE BOARD HAD SOME  
2 AMENDMENTS THAT THEY WERE ASKING TO THE BILL, AND  
3 THOSE AMENDMENTS HAVE BEEN DRAFTED AND FAXED TO  
4 THE AUTHOR'S OFFICE THIS MORNING. AND SO WE'RE  
5 HOPING TO HEAR BACK FROM THE AUTHOR ON WHAT THEY  
6 THINK ABOUT THAT. SOME INFORMAL DISCUSSIONS  
7 INDICATE THAT THEY ARE RATHER ACCEPTING OF A  
8 NUMBER OF THE BOARD'S AMENDMENTS.

9 BOARD MEMBER JONES: MR. CHAIRMAN.

10 CHAIRMAN PENNINGTON: YES, MR. JONES.

11 BOARD MEMBER JONES: I DON'T WANT TO JUMP  
12 AHEAD, BUT ON THAT LINE I WAS WORKING WITH SENATOR  
13 LOCKYER'S STAFF YESTERDAY. I WORKED WITH CHIEF OF  
14 STAFF TO FIND OUT OBVIOUSLY BECAUSE WE HAVE SOME  
15 ISSUES. AND I WENT TO GO FIND OUT EXACTLY WHERE  
16 WE WERE WITH THE PROCESS AND EXPLAINED WHAT WE  
17 WERE TRYING TO DO. AND THE SENATOR'S CHIEF OF  
18 STAFF FELT THAT, YOU KNOW, WE WERE RIGHT THERE AS  
19 FAR AS THEY WERE ACCEPTING A LOT OF THE THINGS  
20 THAT WE HAD, YOU KNOW.

21 AND BASED ON THAT, WHEN WE'RE DONE  
22 WITH THIS PROCESS, I WANT TO, YOU KNOW, AT LEAST  
23 ENTERTAIN A MOTION, YOU KNOW, FROM THIS GROUP TO  
24 CHANGE OUR OPPOSE UNLESS AMENDED BECAUSE THEY ARE  
25 AMENDING IT TO A SUPPORT WITH AMENDMENTS. AND I

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1 JUST WANTED TO MAKE EVERYBODY AWARE OF THAT I WAS  
2 REALLY COMFORTABLE AFTER THE MEETING THAT, YOU  
3 KNOW, A LOT OF WHAT WE NEEDED TO DO WAS GETTING  
4 DONE AND THEY UNDERSTOOD THAT. SO I THINK WE NEED  
5 TO SUPPORT THIS. AND YOU KNOW --

6 CHAIRMAN PENNINGTON: NOW WOULD BE AN  
7 APPROPRIATE TIME FOR A MOTION. IF YOU'D LIKE, I'D  
8 BE HAPPY TO MAKE A MOTION THAT WE AMEND OUR  
9 POSITION FROM OPPOSE UNLESS AMENDMENT TO SUPPORT  
10 WITH AMENDMENTS ON SB 1330.

11 BOARD MEMBER GOTCH: THAT'S FINE. I JUST  
12 WOULD PREFER OR I'D LIKE TO REMIND OF OUR  
13 CONVERSATION IN THE PAST IN THAT THESE DO COME TO  
14 COMMITTEE FIRST BEFORE GOING STRAIGHT TO THE  
15 BOARD, BUT I UNDERSTAND YOUR REASONING TODAY.

16 BOARD MEMBER JONES: RIGHT. THERE WAS AN  
17 URGENCY ISSUE. THE BILL IS MOVING FORWARD, AND I  
18 WAS WORKING -- I LEFT THE CAPITOL AT 4:15 LAST  
19 NIGHT TO DRIVE DOWN HERE TO PASADENA, SO THERE  
20 WASN'T A WHOLE LOT OF TIME TO SEE ANYBODY OR DO  
21 ANYTHING. I JUST WANTED TO MAKE SURE THAT WE HAD  
22 SOME RESOLUTION ON SOME OF THE ISSUES BECAUSE OF  
23 THE TIMELINESS OF WHAT'S GOING ON AND HIM TRYING  
24 TO GET THIS THING THROUGH THE COMMITTEE, AND WE  
25 WERE THE ONLY ONES THAT WERE OPPOSING. AND NOW



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1        THAT THEY'VE TAKEN THE AMENDMENTS, IT SEEMS VERY  
2        OBVIOUS THAT, YOU KNOW, THEY'VE DONE WHAT WE  
3        NEEDED TO DO, WHICH WAS FIX THIS THING.

4                BOARD MEMBER CHESBRO:    MR. CHAIR, THE ONE  
5        AREA THAT I UNDERSTOOD FROM TALKING TO THE  
6        PARTICIPANTS IN THE MEETING IN SENATOR LOCKYER'S  
7        OFFICE LAST WEEK REMAINED A LITTLE -- WE WEREN'T A  
8        HUNDRED PERCENT IN CONCURRENCE.    I WOULD LIKE TO  
9        GET SOME INDICATION THAT THE AMENDMENTS YOU ARE  
10       TALKING ABOUT HAVE SOME FLEXIBILITY.    IT WAS OVER  
11       THE MATCH QUESTION.

12               THE BOARD'S AMENDMENTS THAT WE HAVE  
13       BEEN TALKING ABOUT WERE A 50-50 RESOURCE MATCH,  
14       ESSENTIALLY CASH MATCH.    AND I KNOW SENATOR  
15       LOCKYER IS OPEN TO -- HAS INDICATED BEING OPEN TO  
16       LOCAL PARTICIPATION IN SOME MANNER, EITHER IN-  
KIND

17       CONTRIBUTIONS.    AND ALSO, RATHER THAN IT  
18       NECESSARILY BEING A REQUIREMENT, IT MAY TURN OUT  
19       HE MAY DECIDE THAT HE WOULD LIKE IT TO BE A WAY  
OF

20       PRIORITIZING THE APPLICATIONS.    IN OTHER WORDS, A  
21       LOCAL GOVERNMENT THAT OFFERS A LOCAL MATCH WOULD  
22       HAVE A HIGHER PRIORITY AS OPPOSED TO MAKING IT AN  
23       ABSOLUTE REQUIREMENT.

24               SO I JUST WOULD HOPE THAT WHATEVER

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25 AMENDMENTS WE'RE SUPPORTING HAVE SOME FLEXIBILITY

1       IN THAT AREA SO WE DON'T GET STUCK ON THAT ISSUE  
2       BECAUSE HE SEEMED TO -- THAT SEEMED TO BE THE ONE  
3       AREA WHERE THERE WAS SOME --

4               CHAIRMAN PENNINGTON:   AND I THINK IT WAS  
5       PRETTY CLEAR THAT THAT WAS SOMETHING I WAS PUSHING  
6       FOR, AND I SPECIFICALLY WANTED IT TO BE AN IN-KIND  
7       MATCH.   AND CERTAINLY, IF WE USE IT AS A PRIORITY  
8       RATING, I THINK I CAN CERTAINLY GO ALONG WITH  
9       THAT.   I WAS LOOKING FOR THAT FLEXIBILITY FOR  
10      LOCAL GOVERNMENTS, REALIZING, OF COURSE, THAT  
11      THERE ARE LOTS OF LOCAL GOVERNMENTS THAT ARE  
12      STRUGGLING FOR CASH.

13             BOARD MEMBER CHESBRO:   HE HEARD FROM RCRC  
14      AND SOME OF THE RURALS --

15             CHAIRMAN PENNINGTON:   I'VE TALKED TO LES  
16      COHEN AND RCRC ABOUT IT.

17             BOARD MEMBER CHESBRO:   I MEAN THEY  
18      POINTED OUT THAT IN SOME COUNTIES, YOU KNOW, IF  
19      YOU ASKED THEM TO DO THAT, IT WOULD RAISE THE  
20      TIPPING FEE THAT MUCH MORE AND CAUSE MORE ILLEGAL  
21      DUMPING.

22             CHAIRMAN PENNINGTON:   I WAS SUGGESTING  
23      THINGS LIKE IF THEY SENT A TRUCK OUT TO PICK THE  
24      STUFF UP INSTEAD OF HAVING THE FARMER HAUL IT IN  
25      OR WHATEVER, YOU KNOW, THAT KIND OF THING, THAT

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1       THEY COULD DO THAT WOULD BE A COOPERATION WITH  
2       THEM.   I HAVE A MOTION BEFORE THE FLOOR.

3               MR. CHANDLER:   MR. CHAIRMAN, I'VE HEARD  
4       TWO VARIATIONS OF THE MOTION.   I'VE HEARD SUPPORT  
5       WITH AMENDMENTS.   I'VE HEARD SUPPORT IF AMENDED.  
6       I'M NOT SURE THE DISTINCTION IS WORTH CLARIFYING.  
7       BUT IS THE MOTION SUPPORT IF AMENDED?

8               MS. ZWARTS:   NO.   SUPPORT WITH  
9       AMENDMENTS.

10              BOARD MEMBER JONES:   AND THE AMENDMENTS  
11       ARE WHAT WE JUST TALKED ABOUT.   DOES THAT WORK,  
12       SUPPORT WITH AMENDMENTS?

13              CHAIRMAN PENNINGTON:   OKAY.   I HAVE A  
14       MOTION, BUT I HAVEN'T HEARD A SECOND YET.

15              BOARD MEMBER CHESBRO:   I'LL SECOND.

16              CHAIRMAN PENNINGTON:   I HAVE A SECOND.  
17       ANY FURTHER DISCUSSION?   IF NOT, WILL THE  
18       SECRETARY CALL THE ROLL.

19              BOARD SECRETARY:   BOARD MEMBER CHESBRO.

20              BOARD MEMBER CHESBRO:   AYE.

21              BOARD SECRETARY:   FRAZEE.

22              BOARD MEMBER FRAZEE:

AYE.

23              BOARD SECRETARY:   GOTCH.

24              BOARD MEMBER GOTCH:   AYE.

25              BOARD SECRETARY:   JONES.

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1 BOARD MEMBER JONES: AYE.

2 BOARD SECRETARY: RELIS.

3 BOARD MEMBER RELIS: AYE.

4 BOARD SECRETARY: CHAIRMAN PENNINGTON.

5 CHAIRMAN PENNINGTON: AYE. OKAY. I'M

6 SORRY I INTERRUPTED YOU THERE.

7 MS. ZWARTS: MAKE SURE WE GET THE RIGHT

8 MOTION.

9 I'LL GO INTO THE BILLS THAT ARE  
10 BEFORE YOU FOR CONSIDERATION TODAY IF THAT'S ALL  
11 RIGHT. THE FIRST BILL BEFORE YOU IS AB 705 BY  
12 ASSEMBLYMEMBER STROM-MARTIN. THIS BILL IS  
13 SPONSORED BY THE CALIFORNIANS AGAINST WASTE. IT  
14 IS IN SENATE ENVIRONMENTAL QUALITY COMMITTEE SET  
15 FOR HEARING ON JULY 7TH.

16 THE COMMITTEE'S RECOMMENDATION ON  
17 THIS BILL WAS SUPPORT AS PROPOSED TO BE AMENDED.  
18 THERE ARE SOME AMENDMENTS THAT ARE ADDED TO YOUR  
19 PACKET THAT THE AUTHOR'S OFFICE IS PROPOSING TO  
20 THE BILL. THEY, FOR THE MOST PART, DO ADDRESS A  
21 NUMBER OF THE AMENDMENTS THAT ARE SUGGESTED IN  
THE  
22 STAFF ANALYSIS AS WELL. AND WE ARE STILL WORKING  
23 WITH THE AUTHOR'S OFFICE ON SOME OF THOSE  
24 AMENDMENTS. THEY'RE CHANGING THEM A LITTLE BIT  
AS



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25 WE GO .

1                   THIS BILL DOES HAVE A FISCAL IMPACT  
2       ON THE BOARD, AND THE AMENDMENTS -- I UNDERSTAND  
3       THE AUTHOR'S OFFICE WILL BE PUTTING ACROSS THE  
4       DESK SHORTLY. BE OPEN TO ANY QUESTIONS.

5                   BOARD MEMBER RELIS: JUST A QUESTION  
6       ON -- I KNOW THERE HAS BEEN A FISCAL CONCERN HERE.  
7       AND TO WHAT EXTENT WE LOOK LIKE WE'RE MAKING  
8       PROGRESS ON MINIMIZING THE COSTS HERE?

9                   MS. ZWARTS: IT'S HARD TO -- I HAD HOPED  
10      TO HAVE A HARD FISCAL NUMBER BEFORE WHEN WE CAME  
11      TODAY; BUT WITH THE AMENDMENTS CHANGING, IT'S KIND  
12      OF HARD TO DO THAT. PART OF THEIR AMENDMENTS HAS  
13      A BLANK IN IT FOR WHEN THE BOARD WOULD ASSIST  
14      STATE AGENCIES. AND THE QUESTION IS WHETHER WE  
15      PROVIDE HELP ON -- FOR EVERY STATE AGENCY OR EVERY  
16      STATE AGENCY FACILITY. AND FACILITIES COULD BE A  
17      COUPLE THOUSAND.

18                  SO YOU CAN SEE UNTIL WE GET HAMMERED  
19      DOWN, BUT I HAVE HAD SOME DISCUSSIONS WITH THE  
20      AUTHOR'S OFFICE THAT THEY'RE NARROWING THAT DOWN  
21      TO JUST PRISONS AND UNIVERSITIES AND COMMUNITY  
22      COLLEGES. SO I THINK WHEN THEY GET THEIR  
23      AMENDMENTS FINALIZED, WE CAN WORK ON THE FINAL  
24      FISCAL, BUT THERE STILL WILL BE WORK REQUIRED  
FOR  
25      THE BOARD. THESE ARE NEW REQUIREMENTS AND NEW

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1 TASKS.

2 BOARD MEMBER RELIS: TO WHAT EXTENT --  
3 THERE IS MENTION OF THE STATE UNIVERSITY SYSTEM  
4 AND THE COMMUNITY COLLEGES. WHERE DOES THE UC  
5 SYSTEM NOW SIT IN THE BILL?

6 MS. ZWARTS: CONSTITUTIONAL EXEMPTION.  
7 THEY HAVE THIS PROBLEM FOR ALL BILLS.

8 BOARD MEMBER RELIS: THAT'S A REFRAIN ONE  
9 HEARS AROUND THE STATE. WELL, I MEAN IT'S A  
10 SOVEREIGN NATION.

11 MS. ZWARTS: YOU COULD LOOK AT THEM THAT  
12 WAY.

13 BOARD MEMBER CHESBRO: NEXT THEY'LL HAVE  
14 A BINGO PARLOR.

15 MS. ZWARTS: THEY GET EXEMPT FROM EVERY  
16 BILL. IF THEY WISH TO PARTICIPATE, CERTAINLY, I  
17 CAN'T SPEAK FOR THE PROGRAMS, BUT I THINK THEY DO  
18 ASSIST UC'S THROUGH OUR EXISTING STATE AGENCY  
19 PROGRAM.

20 BOARD MEMBER FRAZEE: QUESTION OF STAFF  
21 ON THIS.

22 CHAIRMAN PENNINGTON: CERTAINLY. GO  
23 AHEAD.

24 (INTERRUPTION IN PROCEEDINGS.)  
25 BOARD MEMBER FRAZEE: NOW I'VE FORGOTTEN

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1       WHAT IT WAS I WAS GOING TO ASK.

2                       ONE OF THE AREAS OF CONCERN I HAD  
3       WAS THE MULTIPLICITY OF REPORTS THAT THIS BILL MAY  
4       BRING ABOUT.  AND MY UNDERSTANDING, THAT THE  
5       AUTHORS OR THE SPONSORS WERE WILLING TO AMEND IT  
6       DOWN TO AGENCY LEVELS, AND SO THAT ANY REPORTING  
7       REQUIREMENT WOULD BE, FOR EXAMPLE, FROM THE  
8       DEPARTMENT OF CORRECTIONS, RATHER THAN FROM EACH  
9       INDIVIDUAL PRISON AND FROM THE COMMUNITY COLLEGE  
10      SYSTEM AS A WHOLE.  IS THAT --

11                    MS. ZWARTS:  THAT'S WHAT I WAS SAYING.  
12      THERE IS A BLANK IN THEIR AMENDMENTS AT THIS POINT  
13      WHERE THEY HAVEN'T FILLED THAT IN YET.  BUT MY  
14      CONVERSATIONS WITH THEM FRIDAY INDICATED THEY WERE  
15      PLANNING TO MOVE IT TO EACH STATE AGENCY, EACH  
16      COMMUNITY COLLEGE, BUT NOT THE SYSTEM, EACH CSU  
17      AND EACH PRISON.  SO THAT WOULD BE WHAT YOU HAD  
18      THOUGHT.

19                    BOARD MEMBER FRAZEE:  LIMITING IT TO  
20      THOSE AGENCIES AND NOT EVERY BUILDING?

21                    MS. ZWARTS:  FACILITY WITHIN THE AGENCY.  
22      THAT'S A VERBAL DISCUSSION I'VE HAD WITH THEM.  I  
23      HAVEN'T SEEN ANYTHING IN WRITING YET.

24                    BOARD MEMBER GOTCH:  MR. CHAIR, MY  
25      UNDERSTANDING, AND I BROUGHT THIS UP IN COMMITTEE,

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1       AND CORRECT ME IF I'M WRONG BECAUSE I MAY BE WRONG  
2       IN THE AMOUNT, BUT THAT THIS COULD LOWER OUR COSTS  
3       UP TO AS MUCH AS \$200,000.

4               MS. ZWARTS:   I'M NOT SURE YET.   IT COULD  
5       REDUCE OUR COST.   THEY ALSO HAD TALKED TO ME ABOUT  
6       EXPANDING THE NUMBER OF YEARS WHICH AGENCIES COULD  
7       COMPLY SO THAT A LOT OF THE EFFORT FOR US FISCALLY  
8       IS ALSO TECHNICAL ASSISTANCE SPREAD OVER FOUR  
9       YEARS HYPOTHETICALLY.   THERE'S STILL WORK TO BE  
10      DONE BY STAFF ON THIS BILL, AND THERE STILL WILL  
11      BE A FISCAL.

12             BOARD MEMBER FRAZEE:   IS OUR ORIGINAL  
13      MOTION, WHICH I DID NOT VOTE FOR, SUPPORT IF  
14      AMENDED?

15             BOARD MEMBER GOTCH:   YES, IT WAS.

16             BOARD MEMBER JONES:   MR. CHAIRMAN.

17             CHAIRMAN PENNINGTON:   YES.   I HAVE DENISE  
18      DELMATIER THAT WOULD LIKE TO ADDRESS THIS ITEM, I  
19      BELIEVE.

20             MS. DELMATIER:   MR. CHAIRMAN, MEMBERS OF  
21      THE BOARD, DENISE DELMATIER WITH THE GUALCO GROUP  
22      ON BEHALF OF NORCAL WASTE SYSTEMS.   WE ARE IN  
23      SUPPORT OF AB 705.   WE HAVE SUPPORTED HISTORICALLY  
24      THE BILL'S PREDECESSORS AND BELIEVE THAT THE STATE  
25      NEEDS TO DO ITS APPROPRIATE JOB IN MEETING THE



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1       DIVERSION GOALS AND ASSISTING LOCAL AGENCIES IN  
2       MEETING THE DIVERSION GOALS.

3                       WE HAVE EXPERIENCED SOME PROBLEMS  
4       WITH STATE AGENCIES WHO HAVE NOT STEPPED UP TO THE  
5       PLATE AND DONE THEIR FAIR SHARE. IT IS A PROBLEM  
6       THAT IS ADDRESSED IN THIS BILL AS WELL AS ANOTHER  
7       BILL THAT YOU WILL BE CONSIDERING MOMENTARILY,  
8       SB 1066 BY MR. SHER. IT IS AN ISSUE THAT NEEDS TO  
9       BE RESOLVED, AND WE ENCOURAGE THE MEMBERS OF THE  
10      BOARD TO SUPPORT THIS MEASURE.

11                   CHAIRMAN PENNINGTON: OKAY. QUESTIONS?  
12      MR. JONES.

13                   BOARD MEMBER JONES: I'VE TALKED TO -- I  
14      WAS IN A UNIQUE SITUATION BECAUSE I HAD SUPPORTED  
15      THIS BILL MY WHOLE CAREER. BUT I HAD A DISCUSSION  
16      WITH THE SPONSOR OF THE BILL AND TALKED TO HIM  
17      ABOUT A COUPLE OF THINGS THAT I THOUGHT WERE  
18      IMPORTANT THAT HE WAS GOING TO TRY TO INCLUDE OR  
19      AT LEAST THINK ABOUT. AND ONE OF THEM WAS THAT  
20      REQUIREMENT OF 25- AND 50-PERCENT MANDATE OR GOOD  
21      FAITH EFFORT, I THOUGHT, NEEDED TO BE INCLUDED TO  
22      BE CONSISTENT WITH AB 688 AND WITH OTHER  
23      LEGISLATION BECAUSE THERE ARE JUST SOME FACILITIES  
24      THAT DON'T HAVE THE MATERIAL THAT THEY NEED TO,  
25      YOU KNOW, THAT THEY CAN DRAW FROM TO MEET THOSE

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1 GOALS. AND HE SOUNDED PRETTY AMENABLE TO THAT.

2 THE OTHER THING WAS I WANTED, AND  
3 THIS IS GOING TO REALLY SOUND CONTRADICTORY, BUT  
4 I'M WORKING ON THE PROGRAM. I KNOW YOU CAN'T  
5 COUNT SOMETHING THAT DOES NOT EXIST. YOU CANNOT  
6 COUNT WASTE THAT IS NOT -- WASTE DIVERSION THROUGH  
7 A WASTE PREVENTION PROGRAM YOU CAN'T COUNT. BUT I  
8 THINK THAT I'VE BEEN WORKING WITH OUR STAFF AND  
9 WITH THE CITY OF L.A. ON THIS GRASS RECYCLING  
10 PROJECT. AND, YOU KNOW, ALL OF THE STATE GROUNDS,  
11 ESPECIALLY LIKE ALL THE STATE GROUNDS AROUND THE  
12 CAPITOL, ALL THOSE TYPES OF THINGS ARE ALL DONE  
13 WITH MULCHING LAWN MOWER SYSTEMS WHERE THAT WASTE  
14 ISN'T MINIMIZED.

15 I WANTED RICK TO -- YOU CAN'T  
16 QUANTIFY THE NUMBER, YOU KNOW, BUT WE NEED TO  
17 RECOGNIZE THOSE TYPES OF EFFORTS, YOU KNOW, AT  
18 LEAST THAT ONE THAT IS DIRECTLY, YOU KNOW, YOU  
CAN  
19 SEE A RESULT. I MEAN YOU CAN SEE WHAT IT WAS  
AND  
20 WHAT IT IS NOW.

21 BOARD MEMBER CHESBRO: I THINK TWO-  
SIDED  
22 COPYING WOULD FALL IN THE SAME CATEGORY. SHOW  
23 PAPER REDUCTION.

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24                   BOARD MEMBER JONES:   YOU KNOW, WHATEVER  
25       IT WOULD TAKE.   I DON'T WANT TO GO DOWN -- I  
DON'T

1       WANT THIS TO SOUND LIKE I WANT TO GO DOWN A ROAD  
2       OF COUNTING SOMETHING THAT DOESN'T EXIST, BUT I  
3       THINK THAT WE NEED TO AT LEAST TAKE INTO  
4       CONSIDERATION THAT, YOU KNOW, THOSE TYPES OF  
5       THINGS.  AND HE LIKED THAT IDEA.  HE SAID HE  
6       THOUGHT THAT THAT MADE SENSE AND HE WOULD WORK ON  
7       IT.  THAT WAS A FEW DAYS AGO AND I HAVEN'T TALKED  
8       TO HIM SINCE THEN.

9                       BUT, YOU KNOW, I THINK THAT THIS  
10       BILL REINFORCES THE EXECUTIVE ORDER THAT SAYS --  
11       THAT EXECUTIVE ORDER WAS WRITTEN IN 1991, AND I  
12       THINK THIS HELPS REINFORCE THAT ORDER.  SO I'D  
13       LIKE TO MAKE A MOTION THAT WE DO A SUPPORT IF  
14       AMENDED ON THIS BILL.

15                    BOARD MEMBER RELIS:  SECOND.  AND, MR.  
16       CHAIR, IF I COULD JUST STATE I THINK THAT THE  
'91

17       EXECUTIVE ORDER SERVED US WELL, AND I THINK  
WE'RE

18       NOW AT CRUNCH TIME.  I MEAN PEOPLE HAVE BEEN  
19       LOOKING AT THE STATE AGENCIES, THE STATE'S ROLE.  
20       EVEN THOUGH ONE PERCENT OF THE WASTESTREAM, AND  
21       IT'S SMALL, IT'S VERY IMPORTANT THAT THE STATE  
22       MAINTAIN A CONSISTENT POSITION WITH THE REST OF  
23       THE LOCAL JURISDICTIONS THAT ARE BEING ASKED TO

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24        BEAR.    SO THAT IS THE BASIS FOR MY SUPPORT,  
25                    CHAIRMAN PENNINGTON:    OKAY.    ANY  
FURTHER

1 DISCUSSION? IF NOT, WILL THE SECRETARY CALL THE  
2 ROLL.

3 BOARD SECRETARY: BOARD MEMBER CHESBRO.

4 BOARD MEMBER CHESBRO: AYE.

5 BOARD SECRETARY: FRAZEE.

6 BOARD MEMBER FRAZEE: AYE.

7 BOARD SECRETARY: GOTCH.

8 BOARD MEMBER GOTCH: AYE.

9 BOARD SECRETARY: JONES.

10 BOARD MEMBER JONES: AYE.

11 BOARD SECRETARY: RELIS.

12 BOARD MEMBER RELIS: AYE.

13 BOARD SECRETARY: CHAIRMAN PENNINGTON.

14 CHAIRMAN PENNINGTON: AYE. MOTION

15 CARRIES.

16 BOARD MEMBER CHESBRO: MR. CHAIRMAN, I  
17 MIGHT JUST ADD THAT I THINK THAT THAT VOTE REALLY  
18 STRENGTHENS OUR CREDIBILITY AS A BOARD WITH LOCAL  
19 GOVERNMENTS AS WELL. I THINK THAT WAS A VERY  
20 IMPORTANT GESTURE ON THE BOARD'S PART.

21 CHAIRMAN PENNINGTON: OKAY.

22 MS. ZWARTS: BEFORE WE MOVE ON TO THE  
23 NEXT BILL, IF I COULD BEG THE BOARD'S INDULGENCE  
24 TO CLARIFY. THE POSITION IS SUPPORT AS PROPOSED  
25 TO BE AMENDED; AND IF AMENDED MEANS TO THE TWO



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1       ADDITIONAL AMENDMENTS WHICH YOU JUST SUGGESTED?  
2       THAT'S BECAUSE THE ANALYSIS AMENDMENTS ARE  
3       DIFFERENT FROM THE AUTHOR'S AMENDMENTS. I THINK  
4       THAT'S WHAT YOU MEANT.

5               BOARD MEMBER JONES: YOU KNOW WHAT I  
6       MEANT. I THINK THE BOARD MEMBERS UNDERSTAND WHAT  
7       I MEANT.

8               MS. ZWARTS: OKAY. THANK YOU.

9               CHAIRMAN PENNINGTON: RIGHT.

10              MOVING ALONG, ITEM 13(D),  
11       CONSIDERATION OF STATE LEGISLATION, AB 1513,  
12       CARDOZA, AGRICULTURAL BIOMASS TAX CREDITS.

13              MS. ZWARTS: THIS BILL IS SPONSORED BY  
14       THERMO-ECO-TECH. IT IS IN THE SENATE REV AND TAX  
15       COMMITTEE AT THIS TIME, NOT A HEARING DATE SET.  
16       THIS BILL WILL PROVIDE TAX CREDIT UNDER THE  
17       PERSONAL INCOME TAX LAWS IN THE AMOUNT \$30 FOR  
18       EACH TON OF AG PRUNINGS DELIVERED WITHOUT CHARGE  
19       TO A GROWER TO A BIOMASS CONVERSION FACILITY.  
20       THIS BILL HAS NO FISCAL IMPACT, AND STAFF ARE  
21       PROPOSING ONE TECHNICAL AMENDMENT. THE  
22       COMMITTEE'S RECOMMENDATION WAS SUPPORT IF AMENDED  
23       A TWO-TO-ONE VOTE.

24              CHAIRMAN PENNINGTON: OKAY. ANY  
25       DISCUSSION ON THIS?

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1                   BOARD MEMBER FRAZEE:   YES.   LET ME  
2   INDICATE, MR. CHAIRMAN, SEVERAL REASONS WHY I  
3   FOUND THIS BILL OBJECTIONABLE.   IT IDENTIFIES ONLY  
4   AGRICULTURAL PRUNINGS AND NOT OTHER KINDS OF  
5   WOODWASTE, AND THAT'S KIND OF DIFFICULT THING TO  
6   IDENTIFY.

7                   SECOND, IT COMES AT A TIME WHEN  
8   WE'RE IN THE MIDDLE OF DISCUSSION OF THE ENTIRE  
9   SUBJECT OF ALTERNATIVE FUELS AND HOW THEIR FUNDS  
10  WILL BE ALLOCATED UNDER THE DEREGULATION PROPOSAL  
11  THAT'S BEFORE SOMEONE NOW.   I DON'T KNOW WHO THIS  
12  IS UP TO AT THIS POINT, BUT SO FOR THAT -- WITH  
13  THOSE TWO REASONS, IT'S A VERY NARROW CATEGORY OF  
14  WOODWASTE AGRICULTURAL PRUNINGS.   AND FOR THAT  
15  REASON, I OPPOSE.

16                  BOARD MEMBER CHESBRO:   MR. CHAIRMAN.

17                  BOARD MEMBER RELIS:   MR. CHAIR.

18                  CHAIRMAN PENNINGTON:   YES, MR. CHESBRO.

19                  BOARD MEMBER CHESBRO:   I WILL MOVE THE  
20  COMMITTEE'S RECOMMENDATION.   AND I WANTED TO SAY  
21  IN SUPPORT OF THAT THAT THIS IS A VERY  
22  PARTICULAR -- A PARTICULAR TYPE OF WASTE THAT,  
23  WHILE IT HASN'T BEEN HISTORICALLY IN LANDFILLS, I  
24  THINK THERE IS A RISK OF IT WINDING UP THERE.

AND

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25 I BROUGHT UP WITH THE AUTHOR'S REPRESENTATIVE THE

1 QUESTION OF ADDING THE URBAN WOODWASTE AND  
2 ENCOURAGED HIM TO -- ENCOURAGED THE AUTHOR TO  
LOOK

3 AT THAT.

4 I DIDN'T MAKE IT A CONDITION OF THE  
5 MOTION FROM THE STANDPOINT OF AN AMENDMENT  
BECAUSE

6 HE SAID THAT HE HASN'T HAD ANY OF THE URBAN  
7 WOODWASTE GENERATORS APPROACH THEM. AND I WASN'T  
8 SURE IT WAS APPROPRIATE FOR OUR BOARD TO CHOOSE  
9 THIS PARTICULAR HOME FOR WOODWASTE AS A PRIORITY  
10 OVER MULCH OR OTHER TYPES OF ACTIVITIES TO  
JUSTIFY

11 THE TAX CREDIT FOR JUST THAT PURPOSE.

12 BUT I DID ENCOURAGE THE AUTHOR TO  
13 TALK WITH ORGANIZATIONS THAT REPRESENT THE  
14 GENERATORS OF URBAN WOODWASTE MATERIALS TO  
EXPLORE

15 THE POSSIBILITY OF INCLUSION -- EXPANSION TO  
16 INCLUDE URBAN WOODWASTE SOURCES. SO I DO SUPPORT  
17 IF AMENDED THE TECHNICAL AMENDMENT THAT STAFF  
18 PROPOSED. AND I WOULD -- YOU KNOW, IF THE BOARD  
19 WERE TO SUPPORT THAT MOTION, I WOULD HOPE THAT WE  
20 WOULD INFORMALLY ENCOURAGE STAFF TO DISCUSS WITH  
21 THE AUTHOR AND OTHER INTERESTED PARTIES WHETHER  
OR

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22 NOT IT MAKES SENSE TO INCLUDE A BROADER SOURCE OF  
23 ORGANIC MATERIALS IN THE TAX CREDIT PROGRAM.

24 BOARD MEMBER JONES: IS THERE A SECOND?

25 BOARD MEMBER RELIS: I'M NOT SURE WHERE

1 I'M AT ON THIS ONE. I HAVE DIFFICULTY GETTING  
2 EXCITED ABOUT IT BECAUSE OF THE LACK OF  
3 CONNECTIVENESS TO OUR PARTICULAR ISSUES. I MEAN  
4 IT IS AG PRUNING WASTE AT THIS POINT. THE  
5 PERCENTAGE THAT'S DOCUMENTED BY STAFF IN THE  
6 REPORT IS SO MINUSCULE IN TERMS OF ITS IMPACT ON  
7 OUR DIVERSION MANDATE, I DON'T KNOW WHY WE  
8 WOULDN'T BE IN A NEUTRAL-TYPE POSITION ON THIS AT  
9 LEAST AT THIS TIME.

10 CHAIRMAN PENNINGTON: IT'S A TAX MATTER.

11 BOARD MEMBER RELIS: I THINK IT'S  
12 PREMATURE TO BE DEALING WITH AN AREA OF THE  
13 WASTESTREAM THAT WE'RE REALLY NOT EVEN INVOLVED  
14 WITH.

15 CHAIRMAN PENNINGTON: YOU KNOW, ACTUALLY  
16 THE BIGGEST PART OF IT IS THE TAX CREDIT PART. WE  
17 PROBABLY OUGHT TO BE DEFERRING THAT TO FINANCE AND  
18 LET THEM DECIDE THE TAX RAMIFICATIONS.

19 BOARD MEMBER GOTCH: MR. CHAIR, I HAD NOT  
20 REALIZED THAT MR. CHESBRO HAD MADE A MOTION, AND I  
21 WILL SECOND HIS MOTION ON THE SUPPORT.

22 CHAIRMAN PENNINGTON: OKAY.

23 BOARD MEMBER JONES: MR. CHAIRMAN, I'D  
24 LIKE TO OFFER A SUBSTITUTE MOTION. I AGREE WITH  
25 MR. RELIS. I THINK WE NEED TO BE NEUTRAL ON  
THIS.



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1 I THINK THAT THE AG WASTE THAT GOES TO COGEN,  
2 THERE'S A REAL NEED THAT THAT HAPPENS. BUT I  
3 THINK THAT THE URBAN WOODWASTE AND THE OTHER  
4 FACTIONS OUT THERE THAT ARE RIGHT NOW STRUGGLING  
5 WITH THAT 540 MILLION OF RENEWABLE FUEL SUBSIDIES  
6 TO SEE WHO'S GOING TO FALL INTO WHAT CATEGORY, FOR  
7 US TO ALL OF A SUDDEN SUPPORT GIVING ONE GROUP A  
8 \$30 A TON TAX CREDIT SEEMS UNEVENHANDED TO THE  
9 OTHERS WHO ARE COMPETING FOR THOSE DOLLARS. I  
10 THINK WE NEED TO SEE HOW THAT DISTRIBUTION OF  
11 THOSE DOLLARS COME OUT. I THINK WE NEED TO KEEP A  
12 LEVEL PLAYING FIELD RATHER THAN JUST SELECT  
13 SOMEBODY. SO I WOULD OFFER A SUBSTITUTE MOTION  
14 THAT WE BE NEUTRAL ON THIS BILL.

15 BOARD MEMBER RELIS: I'LL SECOND.

16 CHAIRMAN PENNINGTON: OKAY. IT'S BEEN  
17 MOVED AND SECONDED. WE HAVE A SUBSTITUTE MOTION  
18 TO TAKE A NEUTRAL POSITION ON THIS BILL. IF  
19 THERE'S ANY FURTHER DISCUSSION. IF NOT, WILL THE  
20 SECRETARY CALL THE ROLL.

21 BOARD SECRETARY: BOARD MEMBER CHESBRO.

22 BOARD MEMBER CHESBRO: NO.

23 BOARD SECRETARY: FRAZEE.

24 BOARD MEMBER FRAZEE:

AYE.

25 BOARD SECRETARY: GOTCH.

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1 BOARD MEMBER GOTCH: NO.

2 BOARD SECRETARY: JONES.

3 BOARD MEMBER JONES: AYE.

4 BOARD SECRETARY: RELIS.

5 BOARD MEMBER RELIS: AYE.

6 BOARD SECRETARY: CHAIRMAN PENNINGTON.

7 CHAIRMAN PENNINGTON: AYE. MOTION

8 CARRIES.

9 MOVE TO ITEM 13(E), CONSIDERATION OF  
10 STATE LEGISLATION SB 451, WATSON, ENVIRONMENTAL  
11 EQUITY GENERAL PLAN.

12 MS. ZWARTS: YES. THIS BILL WOULD  
13 REQUIRE LOCAL GOVERNMENT GENERAL PLANS TO INCLUDE  
14 POLICIES FOR THE EQUITABLE DISTRIBUTION OF  
15 FACILITIES FOR SOLID WASTE, HAZARDOUS WASTE,  
16 LIQUID WASTE TO AVOID DISPROPORTION EFFECTS ON LOW  
17 INCOME COMMUNITIES AS WELL AS RACIAL AND ETHNIC  
18 MINORITIES.

19 THIS BILL IS SPONSORED BY THE STATE  
20 BAR OF CALIFORNIA, AND IT'S SET TO BE HEARD ON  
21 JULY 2D IN THE LOCAL GOVERNMENT COMMITTEE. THIS  
22 BILL HAS NO FISCAL IMPACT ON THE BOARD, AND WE ARE  
23 SUGGESTING NO STAFF AMENDMENTS. THE COMMITTEE'S  
24 RECOMMENDATION ON THIS BILL WAS TO SUPPORT THE  
25 BILL ON A VOTE OF TWO TO ONE.

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1                   BOARD MEMBER CHESBRO:   I'LL MOVE  
2                   COMMITTEE'S RECOMMENDATION.

3                   BOARD MEMBER GOTCH:   I'LL SECOND.

4                   CHAIRMAN PENNINGTON:   OKAY.   IT'S BEEN  
5                   MOVED AND SECONDED.   WE DO HAVE A STATEMENT FROM  
6                   THE FLOOR, MS. DENISE DELMATIER.

7                   MS. DELMATIER:   MR. CHAIRMAN, MEMBERS OF  
8                   THE BOARD, DENISE DELMATIER WITH THE GUALCO GROUP  
9                   ON BEHALF OF NORCAL WASTE SYSTEMS.

10                          WE HAVE BEEN IN DISCUSSION WITH THE  
11                   AUTHOR'S OFFICE ON THIS BILL AND WITH THE  
12                   PROPOSERS AS WELL AS THE NUMEROUS OPPONENTS TO  
13                   THIS BILL.   I THINK IT CANNOT BE UNDERSTATED THAT  
14                   THIS BILL IS SOMEWHAT CONTROVERSIAL AS IT MOVES  
15                   ITS WAY THROUGH THE LEGISLATURE.   AND THE BASIS  
16                   FOR OUR CLIENT'S OPPOSITION TO THIS BILL STEMS  
17                   FROM THE POSITION THAT LOCAL AGENCIES, CITIES, AND  
18                   COUNTIES CURRENTLY UNDER EXISTING LAW HAVE THE  
19                   ABILITY TO ADOPT POLICIES AND GUIDELINES IF THOSE  
20                   LOCALLY ELECTED OFFICIALS DEEM IT APPROPRIATE TO  
21                   DO SO.

22                          SO IF A CITY OR COUNTY LOCAL AGENCY  
23                   THROUGH THEIR CITY COUNCIL OR BOARD OF SUPERVISORS  
24                   DEEMS IT APPROPRIATE, THEY CAN DO EXACTLY WHAT  
25                   THIS BILL WOULD REQUIRE BY THEIR OWN VOLITION.

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1       HOWEVER, FOR THOSE CITIES AND COUNTIES WHO DO NOT  
2       DEEM IT APPROPRIATE AT THIS TIME TO ADOPT THESE  
3       POLICIES AND GUIDELINES, THAT IS THEIR DISCRETION.  
4       AND WE BELIEVE THAT LOCAL CONTROL ON THIS SUBJECT  
5       MATTER IS PROBABLY BEST HANDLED WITH THOSE LOCALLY  
6       ELECTED OFFICIALS RATHER THAN FROM THE STATE ON  
7       DOWN.

8                       THERE ARE A NUMBER OF STUDIES THAT  
9       HAVE BEEN PRODUCED BY BOTH THE PROPONENTS AS WELL  
10      AS THE OPPONENTS ON BOTH SIDES OF THE ISSUE.  AND,  
11      OF COURSE, OBVIOUSLY, DEPENDING UPON WHICH  
12      STATISTICS ONE WANTS TO UTILIZE IN LOOKING AT THIS  
13      ISSUE, YOU CAN COME TO YOUR OWN CONCLUSIONS AS FAR  
14      AS THE IMPACTS OF THE SITING OF SOLID WASTE  
15      FACILITIES IN URBAN COMMUNITIES.

16                      WE FEEL THAT THE EFFORT OF THIS BILL  
17      IS SOMEWHAT AT ODDS WITH AB 939, THE INTEGRATED  
18      WASTE MANAGEMENT ACT, IN THAT WE ARE, OF COURSE,  
19      TRYING TO MEET AGGRESSIVELY THE 50-PERCENT GOAL.  
20      THAT NECESSARILY REQUIRES THE SITING OF SOLID  
21      WASTE FACILITIES, INCLUDING NECESSARILY RECYCLING  
22      FACILITIES AND COMPOSTING FACILITIES.  SO WE'D  
23      LIKE TO SEE LOCALLY ELECTED OFFICIALS LEFT WITH  
24      THE FLEXIBILITY AS THEY DEEM APPROPRIATE TO SITE  
25      FACILITIES BASED UPON THEIR MERIT AND THEIR



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1 ASSESSMENT.

2 BUT AGAIN, THERE ARE NUMEROUS  
3 STUDIES THAT HAVE BEEN PRODUCED THAT THE BOARD  
4 MEMBERS MIGHT WANT TO EVALUATE PRIOR TO MAKING A  
5 DECISION ON THIS BILL BECAUSE THERE'S A LOT OF  
6 DOCUMENTATION OUT THERE THAT -- THAT BOTH THE  
7 PROPONENTS AND THE OPPONENTS HAVE BROUGHT  
FORWARD.

8 AND JUST SOMETHING FOR YOUR CONSIDERATION AS YOU  
9 DELIBERATE THIS MEASURE.

10 BOARD MEMBER RELIS: WHAT'S THE STATUS  
OF  
11 THOSE STUDIES? I HAVEN'T SEEN THEM.

12 MS. DELMATIER: THE PROPONENTS HAVE  
13 PRODUCED A NUMBER OF STUDIES, HAVE CITED A  
NUMBER  
14 OF STUDIES. THE OPPONENTS, BROWNING-FERRIS  
15 INDUSTRIES, HAVE PRODUCED A NUMBER OF STUDIES  
THAT  
16 THE FEDERAL GOVERNMENT HAS UNDERTAKEN. AND THEY  
17 CITE A NUMBER OF STUDIES THAT, OF COURSE,  
COUNTER  
18 THE ARGUMENTS OF THE PROPONENTS. AND SO THERE'S  
19 QUITE A FEW OF THEM OUT THERE.

20 AND I SUPPOSE IT'S A POLICY  
DECISION

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21        THAT IF THE BOARD WERE TO TAKE A POSITION ON  
THIS

22        BILL, AS WELL AS THE SOLIS BILL, BECAUSE  
OBVIOUSLY

23        THEY'RE SOMEWHAT DEALING WITH THE SAME POLICY  
24        ISSUES, THAT THESE STUDIES MIGHT PRODUCE SOME  
25        INFORMATION THAT CAN DOCUMENT OR SUBSTANTIATE  
SOME

1 OF THE MORE EMOTIONAL CLAIMS THAT HAVE BEEN MADE  
2 BY BOTH SIDES ON THIS ISSUE.

3 CHAIRMAN PENNINGTON: OKAY. ANOTHER  
4 QUESTION, MS. GOTCH?

5 BOARD MEMBER GOTCH: I HAVE A COMMENT  
6 REGARDING MR. RELIS' QUESTION. AND THAT IS THAT  
7 DURING THE '80S, IT'S MY UNDERSTANDING THAT THE  
8 BOARD CONDUCTED A SURVEY AND FOUND THAT THERE'S A  
9 DISPROPORTIONATE AMOUNT OF THIS TYPE OF FACILITY  
10 IN MINORITY NEIGHBORHOODS. ALSO, WITH OUR  
11 INFORMATION FOR -- CONCERNING PERMITS, WE TRIED TO  
12 GET THE BIG PICTURE ON HOW THIS IMPACTS THE AREA.

13 THE ENVIRONMENTAL IMPACT IS WHAT I'M  
14 TALKING ABOUT. I THINK THIS IS SOMETHING ELSE WE  
15 SHOULD TAKE INTO CONSIDERATION. THIS WILL HELP.  
16 THIS BILL ALSO PUTS THIS ON THE LOCAL GOVERNMENTS  
17 TO INCLUDE THIS IN THEIR GENERAL PLANS, SO IT'S  
18 EARLY IN THE PROCESS. SO, ONCE AGAIN, I'D LIKE  
19 TO --

20 BOARD MEMBER JONES: COULD I ASK A  
21 QUESTION?

22 CHAIRMAN PENNINGTON: YES, GO AHEAD, MR.  
23 JONES.

24 BOARD MEMBER JONES: TO INCLUDE WHAT IN  
25 THE GENERAL PLAN?

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1                   MEMBER GOTCH:   IN THE GENERAL PLAN IT  
2   INCLUDES THE POLICIES FOR THE EQUITABLE  
3   DISTRIBUTION OF SOLID WASTE AND OTHER FACILITIES  
4   TO AVOID A DISPROPORTIONATE --

5                   BOARD MEMBER JONES:   AS PART OF THE CEQA  
6   AND PART OF THAT ALREADY IS WHERE IT'S A SITING  
7   ISSUE WHERE THEY'RE GOING TO DETERMINE AS PART OF  
8   THAT PROCESS IF THAT IS A -- A COHABITABLE USE,  
9   RIGHT?

10                  BOARD MEMBER GOTCH:   WELL, OF COURSE,  
11   YEAH.

12                  BOARD MEMBER JONES:   WHAT -- I DON'T KNOW  
13   THE REPORT IN 1980.   THIS WAS THE OLD BOARD?

14                  BOARD MEMBER GOTCH:   THIS WAS THE OLD  
15   BOARD.

16                  BOARD MEMBER JONES:   I HATE TO ASK  
THIS,

17   BUT DO YOU -- OTHER THAN THE -- HAVE YOU SEEN  
THE

18   OTHER TWO -- THE OTHER REPORTS THAT THEY'RE  
19   TALKING ABOUT?

20                  BOARD MEMBER CHESBRO:   THE AUTHOR AND  
21   PROPONENTS HAVE BEEN CITING REPORTS.

22                  BOARD MEMBER JONES:   REPORTS.   CAN WE -

-

23   DO YOU GUYS HAVE ANY PROBLEM IF WE GET THOSE

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24       REPORTS AND JUST BRING THIS BACK NEXT MONTH,  
GIVE  
25       US A CHANCE TO AT LEAST LOOK AT WHAT THE ISSUES

1 ARE RATHER THAN -- THIS IS CRITICALLY IMPORTANT.

2 I'LL TELL YOU WHAT MADE ME NERVOUS WHEN I WAS  
3 READING THESE THINGS, AND IT'S GOING TO SOUND  
4 FARFETCHED, BUT I THINK IT'S A GOOD EXAMPLE OF HOW  
5 THINGS HAPPEN, OR THE RESULTS OF ACTIONS AND GOOD  
6 RESULTS. I MEAN I'M NOT OPPOSING THE RESULT.

7 THAT TRIP I HAD TO DO WHERE I DEALT  
8 WITH THOSE PEOPLE FROM THE MIDDLE EAST AND SOUTH  
9 AFRICA, PEOPLE FROM DURBIN, SOUTH AFRICA, BECAUSE  
10 OF APARTHEID AND THE RESTRUCTURING OF THAT  
11 GOVERNMENT AND THAT STATE, NOW HE'S LOOKING INTO  
12 WASTE-TO-ENERGY FACILITIES BECAUSE EVERYWHERE THAT  
13 THEY WERE GOING TO SITE LANDFILLS WERE IN  
14 POPULATIONS THAT HAD BEEN ADVERSELY AFFECTED  
15 THROUGH APARTHEID. THEY CAN'T DO THAT ANYMORE.

16 NOW THEY HAVE TO GO TO WASTE-TO-  
17 ENERGY FACILITIES ON TOP OF EXISTING LANDFILLS.  
18 THAT'S A VERY -- I MEAN THAT'S A WAY OUT THERE  
19 EXAMPLE OF A REACTION TO AN ACTION. BUT I DON'T  
20 FEEL REAL COMFORTABLE AT THIS POINT WITHOUT AT  
21 LEAST LOOKING AT BOTH SIDES. IF THEY'RE  
22 AVAILABLE, I'D LIKE TO BE ABLE TO SEE THEM ON THIS  
23 BILL AND ON THE CEQA BILL. AND LET'S BRING IT  
24 BACK NEXT MONTH. AT LEAST GIVE US A CHANCE TO  
25 LOOK AT THE STUFF SO WE CAN MAKE -- SO WE SEE WHAT



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1       THEY'RE REFERRING TO.

2               BOARD MEMBER GOTCH:   I UNDERSTAND WHAT  
3       YOU'RE SAYING, MR. JONES.   PATTY, WOULD YOU REMIND  
4       ME WHERE THE BILL IS AT THIS POINT?

5               MS. ZWARTS:   THE BILL IS IN THE ASSEMBLY  
6       LOCAL GOVERNMENT COMMITTEE, SET TO BE HEARD NEXT  
7       WEEK, TUESDAY.

8               CHAIRMAN PENNINGTON:   MR. CHESBRO.

9               BOARD MEMBER CHESBRO:   THIS BILL DOES NOT  
10       SET A HEAVY-HANDED DIRECTIVE ON LOCAL GOVERNMENTS  
11       THAT ASSUMES THAT EVERY LOCAL GOVERNMENT HAS AN  
12       EQUITY ISSUE AROUND THESE FACILITIES.   IT SIMPLY  
13       SAYS IN BROAD LANGUAGE THAT IN THE GENERAL  
14       PLANNING PROCESS YOU NEED TO TAKE THIS INTO  
15       ACCOUNT AND EXAMINE IT.   I THINK THAT LEAVES OPEN  
16       THE QUESTION OF WHETHER THERE'S A PROBLEM IN THE  
17       COMMUNITY, AND IT'S REAL POSSIBLE THE ANSWER WILL  
18       COME BACK NO.

19               I DON'T THINK THERE'S AN ASSUMPTION  
20       THAT EVERYWHERE IN THE STATE, EVERY COMMUNITY IS  
21       DISCRIMINATING AGAINST LOW INCOME OR POOR  
22       COMMUNITIES BY SITING FACILITIES.   IT IS SAYING  
23       LOOK AT THAT WHEN YOU ARE DOING YOUR GENERAL  
PLAN.

24               FROM THE BOARD'S STANDPOINT, THAT'S  
25       GREAT.   IT LEAVES IT AT THE LOCAL LEVEL.   IT

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1 INCREASES OR I SHOULD SAY IT DECREASES THE  
2 POSSIBILITY THAT WE WILL GET PROJECTS BEFORE US  
3 THAT HAVE THAT, BUT IT DOESN'T PUT US IN THE  
4 POSITION OF JUDGING THAT AT THE STATE LEVEL. IT  
5 LEAVES IT TO THE LOCAL GOVERNMENT TO DETERMINE  
6 WHAT IS EQUITABLE.

7 AND SO, YOU KNOW, I THINK IT'S A  
8 VERY -- YOU KNOW, WITH ALL DUE RESPECT TO MY GOOD  
9 FRIEND, DENISE DELMATIER, I THINK IT IS A LOCAL  
10 GOVERNMENT FRIENDLY APPROACH. IT DOESN'T  
11 CONCENTRATE SOME SORT OF ANALYSIS OR JUDGMENT AT  
12 THE STATE LEVEL. IT LEAVES THE DETERMINATIONS IN  
13 THE LOCAL GENERAL PLANNING PROCESSES, WHICH IS  
14 WHERE IT SHOULD BE. AND I LIKE THAT ABOUT IT.  
15 AND SO I'D LIKE TO SEE US GO AHEAD. IT IS GOING  
16 TO COME UP IN LOCAL GOVERNMENT COMMITTEE, AND I'D  
17 LIKE TO SEE US REPRESENTED THERE WITH A POSITION  
18 MYSELF.

19 BOARD MEMBER JONES: YOU KNOW, UNDER  
20 THE -- IF THAT'S THE CASE, THAT'S FINE. BUT I  
21 MEAN IF YOU LOOK UNDER SUPPORT AND OPPOSE, YOU'VE  
22 GOT BKK, WHO IS A GARBAGE COMPANY, SUPPORTS IT.  
23 OKAY. BUT IF YOU LOOK UNDER OPPOSE, YOU'VE GOT  
24 THE LEAGUE OF CITIES. YOU'VE GOT THE CAMARILLO  
25 CITY COUNCIL. SO WHERE SOME PEOPLE SEE THAT IT'S

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1 NOT A BIG DEAL, OTHERS SEE THAT THERE'S OBVIOUSLY  
2 AN ISSUE HERE THAT THEY'RE NOT FULLY AWARE OF  
3 BECAUSE THEY'RE OPPOSING IT.

4 SO, YOU KNOW, THAT PUTS -- I MEAN  
5 WE'VE GOT ALL THE STAKEHOLDERS ON BOTH SIDES OF  
6 THIS THING. I MEAN YOU'VE GOT THE CITIES SAYING,  
7 NO, OPPOSE THIS BILL OR THE LEAGUE SAYING OPPOSE  
8 THIS BILL AND SOME OTHER CITIES. YOU'VE GOT THE  
9 SOLID WASTE COMPANIES, SOME OF THEM SAYING OPPOSE  
10 IT, SOME OF THEM SAYING SUPPORT IT. ALL I'M  
11 ASKING IS I THINK WE JUST NEED TO LOOK AT WHATEVER  
12 THE REPORTS ARE THAT THEY'RE DERIVING ALL THIS  
13 INFORMATION FROM. TAKE A LOOK AT IT AND MAKE UP  
14 OUR OWN MINDS. WE'RE PRETTY GOOD AT MAKING UP OUR  
15 MINDS, YOU KNOW, BUT AT LEAST IT WOULD GIVE US AN  
16 IDEA BECAUSE I WORRY ABOUT THE AFTEREFFECTS OF  
17 SOMETHING LIKE THIS, THAT YOU KNOW, YOU CAN'T DO  
18 THAT BECAUSE. YOU KNOW, NO, YOU CAN'T PUT THAT IN  
19 THERE BECAUSE.

20 YOU KNOW, WHERE ARE YOU GOING TO PUT  
21 IT THEN? WHERE ELSE ARE YOU GOING TO PUT IT? DID  
22 IT MAKE SENSE IN THE NORMAL CHAIN OF EVENTS  
23 THROUGH CEQA AND THROUGH THE GENERAL PLAN?  
24 OBVIOUSLY THE LEAGUE HAS GOT CONCERNS ABOUT IT OR  
25 THEY WOULDN'T BE OPPOSING IT. SO I'D LIKE TO -- I

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1       DON'T WANT TO TAKE A SUPPORT OR OPPOSE OR NEUTRAL.  
2       I'M JUST ASKING IF THIS AND THE OTHER ONE, WE JUST  
3       WAIT A MONTH AND BRING IT UP NEXT MONTH, BUT GET  
4       US THE DOCUMENTATION THAT WE CAN READ, IF THAT'S  
5       REASONABLE.

6                 BOARD MEMBER RELIS:   MR. CHAIR.

7                 CHAIRMAN PENNINGTON:   YES.

8                 BOARD MEMBER RELIS:   IN '91 I REMEMBER  
9       WHEN I CAME ON THE BOARD, THERE WAS THE  
10      ROYBALL-ALLARD BILL, WHICH I SUPPORTED AT THAT  
11      TIME.  I THINK MR. JONES, HIS POINT ABOUT -- WELL,  
12      SPEAKING FOR MYSELF, WITH FIVE YEARS -- SIX YEARS  
13      OF JUST WATCHING THE PERMITS COME THROUGH AND  
14      LOOKING AT LEAST FROM THE LANDFILL SIDE, I HAVE  
15      SOME QUESTIONS ABOUT WHETHER THERE IS AN UNDUE  
16      IMPACT ON, SAY, LOW INCOME COMMUNITIES, BUT I  
17      HAVEN'T MADE UP MY MIND ON IT.  I WOULD LIKE TO  
18      LOOK AT THE STUDIES AND GET BACK UP TO SPEED ON  
19      THIS ISSUE.  I DON'T FEEL LIKE I'M UP TO PAR.

20                MS. ZWARTS:   STAFF WOULD BE PLEASED TO  
21      COLLECT THOSE STUDIES FOR THE BOARD.

22                CHAIRMAN PENNINGTON:   I'LL MAKE A  
23      SUBSTITUTE MOTION HERE TO PUT THIS ITEM OVER  
UNTIL

24      NEXT MONTH'S BOARD MEETING.  WOULD YOU WANT IT  
TO



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25 COME THROUGH YOUR COMMITTEE AGAIN? WE CAN DO  
THAT

1 IF YOU WANT.

2 BOARD MEMBER GOTCH: I'M ASKING THAT  
IT

3 COME TO THE COMMITTEE WITH THE NEW INFORMATION.  
I

4 THINK WE SHOULD BE VOTING ON IT TODAY, BUT I AM  
5 FINE WITH HAVING IT COME BACK TO COMMITTEE NEXT  
6 MONTH AND BRING IT TO THE BOARD.

7 CHAIRMAN PENNINGTON: OKAY. MY MOTION  
8 WOULD READ THAT --

9 BOARD MEMBER FRAZEE: MR. CHAIRMAN.

10 CHAIRMAN PENNINGTON: YES.

11 BOARD MEMBER FRAZEE: THE WHOLE  
QUESTION

12 OF STUDIES, I BELIEVE, IS IRRELEVANT TO THE  
ISSUE

13 THAT'S BEFORE US. STUDIES, PARTICULARLY THE  
ONE

14 THAT'S DATED IN '80 OR '81, TELLS US WHAT  
HAPPENED

15 THAT MANY YEARS AGO. WE NOW HAVE CEQA TO A  
FINE

16 SCIENCE. THAT GIVES THE ABILITY FOR LOCAL  
17 JURISDICTIONS TO TAKE THESE KINDS OF THINGS  
INTO

18 CONSIDERATION.

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19                               AND THIS BILL IS PROSPECTIVE.  
20       DOESN'T DO ANYTHING ABOUT ALL THOSE FACILITIES.  
21       AND YOU COULD ARGUE WHETHER THEY EXIST IN A  
22       DISPROPORTIONATE SHARE IN MINORITY  
NEIGHBORHOODS  
23       OR NOT, BUT THIS DOES NOTHING ABOUT THAT. IT'S  
24       ONLY PROSPECTIVE, ADDS ANOTHER LAYER OF MANDATE  
ON  
25       LOCAL GOVERNMENTS, MAKES THEM JUMP THROUGH THE

1 HOOPS ONCE MORE, AMEND THEIR GENERAL PLANS, AND  
2 THEY ALREADY HAVE THE ABILITY TO DO THIS UNDER  
3 EXISTING LAW. WHATEVER -- DEFERRING IT IS FINE IF  
4 THAT GETS TO THE POINT OF --

5 BOARD MEMBER CHESBRO: MR. CHAIRMAN, ASK  
6 A QUESTION OF PATTY. MY UNDERSTANDING WAS THAT IT  
7 WOULD REFER TO THE NEXT REVIEW PERIOD OF THE  
8 GENERAL PLAN AS OPPOSED TO REQUIRE AN UPDATE PRIOR  
9 TO THEIR REVIEW DEADLINE. ARE YOU FAMILIAR WITH  
10 WHAT THE SPECIFIC REQUIREMENT IS FOR --

11 MS. ZWARTS: AS FOR THE LOCAL GOVERNMENT  
12 GENERAL PLAN, SINCE THE BILL WILL BECOME EFFECTIVE  
13 JANUARY 1ST, IT WOULD BECOME WHENEVER THEY CHANGE  
14 THE GENERAL PLAN.

15 BOARD MEMBER CHESBRO: IT AFFECTS THE  
16 DECISIONS THAT THEY WOULD BE MAKING ON THE REGULAR  
17 CYCLE AS OPPOSED TO REQUIRING A SPECIAL REVIEW OF  
18 THEIR --

19 MS. ZWARTS: I DON'T BELIEVE IT REQUIRES  
20 THEM TO GO BACK AND CHANGE WHAT THEY'VE DONE  
21 ALREADY, BUT LOOK ANEW. I'M NOT THAT FAMILIAR  
22 WITH GENERAL PLANS TO KNOW HOW OFTEN THEY CHANGE  
23 THEM TO KNOW WHEN THAT WOULD HAPPEN.

24 BOARD MEMBER CHESBRO: I THINK THERE'S A  
25 FIVE -- IT'S CHANGED OVER THE YEARS, BUT I THINK

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1       THERE'S A FIVE-YEAR REVIEW.

2               BOARD MEMBER FRAZEE:   THERE ARE MANDATED  
3       ELEMENTS AND UNMANDATED ELEMENTS TO THE GENERAL  
4       PLAN.

5               BOARD MEMBER CHESBRO:   I DON'T EVEN THINK  
6       THIS IS A SEPARATE ELEMENT.   I THINK IT'S A  
7       CONSIDERATION THAT NEEDS TO BE TAKEN INTO ACCOUNT  
8       AT THE TIME.

9               MS. ZWARTS:   ACTUALLY, I CAN PROVIDE SOME  
10      CLARIFICATION TO YOU.   THEY ADDED INTENT LANGUAGE  
11      THAT THE REQUIREMENTS TO REDO THEIR GENERAL PLANS  
12      WOULD APPLY TO THEM AT THE TIME IT NEXT AMENDS ITS  
13      LAND USE ELEMENT OR ITS GENERAL PLAN OR AT THE  
14      TIME OF THE NEXT PERIODIC REVIEW OF ITS GENERAL  
15      PLAN AFTER JANUARY 1, 1999.

16              CHAIRMAN PENNINGTON:   OKAY.   I'M OFFERING  
17      A SUBSTITUTE MOTION THAT WILL PUT OVER TO NEXT  
18      MONTH AND HAVE IT GO BACK THROUGH THE COMMITTEE  
19      FOR REVIEW.

20              BOARD MEMBER RELIS:   I'LL SECOND.

21              CHAIRMAN PENNINGTON:   AND BRING IT BACK  
22      TO THE FULL BOARD NEXT MONTH.

23              BOARD MEMBER RELIS:   COULD -- THE MAKER  
24      OF THE MOTION, I WONDERED IF, SINCE THIS IS AN  
25      AREA WHERE WE HAVE -- I'M NOT ASKING FOR AN

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1 IMMENSE STUDY, BUT WE HAVE EXPERIENCE WITH THESE  
2 FACILITIES. WE PERMIT THEM. IF ANYONE HAS A  
3 REPOSITORY OF INFORMATION THAT WOULD SHED LIGHT ON  
4 THIS FROM A SOLID WASTE PERSPECTIVE, WE HAVE IT.  
5 SO I'M WONDERING IF STAFF COULD, IF THE MOTION IS  
6 SUCCESSFUL, PROVIDE SOME BACKGROUND.

7 MS. ZWARTS: I WILL CERTAINLY TALK TO  
8 DOROTHY RICE IF WE HAVE ANY INFORMATION AVAILABLE,  
9 AND WE WILL ALSO CONTACT BOTH THE PROPONENTS AND  
10 THE OPPONENTS TO FIND OUT WHAT STUDIES THEY MIGHT  
11 OFFER TO US AND PROVIDE TO THE BOARD MEMBERS.

12 BOARD MEMBER JONES: I JUST HAVE A  
13 QUESTION TO YOUR MOTION. WHEN MS. DELMATIER WAS  
14 TALKING, SHE REFERRED THAT THE STUDIES ARE RELATED  
15 TO BOTH THIS BILL AND SB 1113. DOES YOUR MOTION  
16 TO HOLD OVER INCLUDE BOTH OF THESE?

17 CHAIRMAN PENNINGTON: NO, BECAUSE IT'S A  
18 SUBSTITUTE MOTION TO A MOTION THAT'S ALREADY ON  
19 THE FLOOR. WE'LL HAVE TO DO THAT AT A LATER DATE  
20 IF THAT'S THE BOARD'S DESIRE.

21 BOARD MEMBER CHESBRO: WE COULD PROBABLY  
22 SUBSTITUTE THE PRIOR DEBATE WHEN WE GET TO THAT  
23 ONE.

24 CHAIRMAN PENNINGTON: IF THERE'S ANY  
25 FURTHER DISCUSSION. IF NOT, WILL THE SECRETARY



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1 CALL THE ROLL ON THE SUBSTITUTE MOTION.

2 BOARD SECRETARY: BOARD MEMBER CHESBRO.

3 BOARD MEMBER CHESBRO: NO.

4 BOARD SECRETARY: FRAZEE.

5 BOARD MEMBER FRAZEE: AYE.

6 BOARD SECRETARY: GOTCH.

7 BOARD MEMBER GOTCH: NO.

8 BOARD SECRETARY: JONES.

9 BOARD MEMBER JONES: AYE.

10 BOARD SECRETARY: RELIS.

11 BOARD MEMBER RELIS: AYE.

12 BOARD SECRETARY: CHAIRMAN PENNINGTON.

13 CHAIRMAN PENNINGTON: AYE. MOTION

14 CARRIES.

15 WE MOVE TO ITEM --

16 MS. ZWARTS: SB 1066 BY SENATOR SHER.

17 THIS BILL IS SPONSORED BY THE LEAGUE OF CALIFORNIA

18 CITIES. THIS BILL HAS BEEN REFERRED TO THE

19 ASSEMBLY NATURAL RESOURCES COMMITTEE AND HAS NO

20 HEARING DATE SET AT THE MOMENT. IT MAKES NUMEROUS

21 CHANGES TO THE PLANNING PORTIONS OF THE BOARD'S

22 LAWS TO GRANT SINGLE OR MULTIYEAR EXTENSIONS.

23 UNDER THE IWMA, IT ALLOWS CITIES AND COUNTIES AND

24 REGIONAL AGENCIES TO ADJUST THEIR BASE-YEAR

25 CALCULATIONS TO REMOVE THE AMOUNT OF SOLID WASTE

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1       GENERATED AT LOCAL LEVEL BY STATE, LOCAL, AND  
2       FEDERAL AGENCIES. IT MAKES SOME CHANGES IN THE  
3       MARKET DEVELOPMENT AREA AS WELL.

4                   THIS BILL DOES HAVE A FISCAL IMPACT  
5       ON THE BOARD, AND THERE ARE 11 AMENDMENTS BEING  
6       PROPOSED AS A RESULT OF THE LPEC RECOMMENDATION,  
7       WHICH IS SUPPORT IF AMENDED, A THREE TO ZERO.

8                   AND THERE WERE TWO ADDITIONAL --  
9       JUST FOR CLARIFICATION, IN YOUR PACKET AMENDMENT  
10      NO. 7, THE STAFF AMENDMENT, WAS PROPOSED TO BE  
11      CHANGED AS AN LPEC RECOMMENDATION. AND AN  
12      ADDITIONAL AMENDMENT TO ADD LEGISLATIVE INTENT  
13      LANGUAGE TO ASSIST LOCAL GOVERNMENTS IN THE  
14      COLLECTION AND TRANSPORTATION OF RECYCLED  
15      MATERIALS TO DEVELOP ADEQUATE SUPPLIES FOR MARKETS  
16      WERE TWO ADDITIONAL AMENDMENTS SUGGESTED. I  
17      BELIEVE JUST FOR YOUR PACKETS, YOU HAVE A LETTER  
18      FROM THE SPONSORS. I UNDERSTAND THE SPONSORS HAVE  
19      BEEN SPEAKING TO THE LPEC MEMBERS ABOUT AMENDMENT  
20      NO. 7.

21                   BOARD MEMBER CHESBRO: MR. CHAIRMAN.

22                   CHAIRMAN PENNINGTON: YES, MR. CHESBRO.

23                   BOARD MEMBER CHESBRO: I AT LPEC ADDED TO  
24      THE STAFF'S PROPOSED AMENDMENTS AN ADDITIONAL  
25      AMENDMENT WITH REGARDS TO WHETHER OR NOT THE

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1 EXTENSIONS THAT THE BOARD COULD GRANT TO  
2 INDIVIDUAL COMMUNITIES SHOULD BE MULTIYEAR, AND I  
3 STILL HAVE SOME DISCOMFORT WITH THAT. HOWEVER,  
4 YVONNE DID HER INIMITABLE COMMUNICATING JOB AND  
5 HAS SPOKEN WITH ME BOTH BY PHONE AND WE RECEIVED

A

6 LETTER, WHICH THE BOARD MEMBERS HAVE RECEIVED,  
7 FROM THE LEAGUE OF CALIFORNIA CITIES AND I

BELIEVE

8 YOU HAVE COPIES.

9 AND I THINK THE THING THAT

CONVINCED

10 ME TO BACK OFF ON THAT PARTICULAR ONE IS THAT  
11 THERE IS DISCUSSION GOING ON, NOT IN THE  
12 LEGISLATURE AT THIS POINT, BUT THERE IS  
DISCUSSION

13 GOING ON ABOUT THE POSSIBILITY OF ACROSS-THE-  
BOARD

14 EXTENSIONS OF THE YEAR 2000 DEADLINE, WHICH  
WOULD,

15 I THINK, BE FAR MORE DISTURBING THAN THE BOARD  
16 HAVING THE AUTHORITY TO GRANT INDIVIDUAL  
17 MULTIYEAR.

18 I'VE SAID ALL ALONG THAT I'D PREFER  
19 THIS DISCUSSION TAKE PLACE WHEN WE'RE REAL CLOSE  
20 TO THE YEAR 2000 SO WE CAN SEE WHERE EVERYBODY IS

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21       AND DECIDE WHAT KIND OF EXTENSIONS OR REDUCTIONS  
22       OR WHATEVER SEEM LOGICAL, BUT THE LEAGUE HAS  
23       CONVINCED ME THAT THIS IS -- BROADENING BOARD  
24       AUTHORITY IS A LOT MORE SUPPORTIVE OF THE  
EXISTING  
25       YEAR 2000 50-PERCENT MANDATE THAN TO EXTEND THE

1 DEADLINE ACROSS THE BOARD. AND I WILL MOVE TO  
2 APPROVE THE COMMITTEE'S RECOMMENDATION MINUS THAT  
3 AMENDMENT THAT I ADDED AT THE LEG. COMMITTEE.

4 BOARD MEMBER GOTCH: SO IT'S SUPPORT IF  
5 AMENDED --

6 BOARD MEMBER CHESBRO: SUPPORT IF  
7 AMENDED, BUT NOT WITH THAT ONE AMENDMENT.

8 CHAIRMAN PENNINGTON: OKAY.

9 BOARD MEMBER RELIS: SECOND.

10 CHAIRMAN PENNINGTON: MRS. GOTCH IS  
11 SECONDING MR. CHESBRO'S MOTION.

12 BOARD MEMBER FRAZEE: ALSO, THE MATTER OF  
13 DISCUSSION THAT WE HAD DEALING WITH DOUBLE JOINING  
14 THIS, IS THAT -- WAS THAT YOUR INTENT TO DROP  
15 THAT?

16 BOARD MEMBER CHESBRO: WELL, WE DIDN'T  
17 WIND UP WITH AN AMENDMENT. WHEN PATTY AT THE  
18 COMMITTEE SAID TO ME THAT -- SHE POINTED OUT THIS  
19 LANGUAGE THAT YVONNE CITES HERE IN THE INTENT  
20 LANGUAGE, WHICH ENCOURAGES STATE AGENCIES TO HAVE  
21 DIVERSION PROGRAMS CONSISTENT WITH THE EXECUTIVE  
22 ORDER, I PULLED BACK ON THAT ISSUE. AND SO SHE  
23 WAS JUST REINFORCING THAT POINT IN HER LETTER  
FROM

24 THE LEAGUE, BUT I DON'T THINK IT'S PART OF THE  
25 COMMITTEE'S RECOMMENDATION.



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1 CHAIRMAN PENNINGTON: OKAY. MR. JONES.

2 BOARD MEMBER JONES: YEAH, I HAVE A  
3 QUESTION ON -- THIS DISCUSSION HAS GONE ON QUITE

A

4 FEW TIMES AT LOCAL ASSISTANCE, AND THERE IS SOME  
5 LANGUAGE HERE OF THE SUGGESTED AMENDMENTS THAT  
6 ENCOURAGE THIS REGIONALIZATION OF MARKETING AND  
7 THIS AND THAT. AND I HEARD THE COMMENT SAID

THAT,

8 YOU KNOW, THEY'RE GOING TO WORK TOWARDS  
9 COOPERATIVELY COLLECTING THE STUFF TO ENHANCE THE  
10 MARKETS. I DON'T THINK IT'S COLLECTING THE STUFF  
11 THAT ENHANCES THE MARKETS. I THINK IT'S THE  
12 BUSINESSES THAT BUY IT THAT ENHANCE THE MARKETS.

13 WHAT I'M WORRIED ABOUT IS WE'RE  
14 OFFERING AN AMENDMENT THAT BASICALLY IF -- AND  
I'M

15 ASKING MORE OF A QUESTION THAN MAKING A  
STATEMENT.

16 WHAT I AM HOPING IS THAT THIS IS NOT RELATED TO  
17 THE JOHN BROOKS, RCRC SOCIALIZED GARBAGE  
18 COLLECTION WHERE WE TRADE -- WHERE WE FIND OUT  
19 EVERYBODY'S GARBAGE ROUTES, WHO THE CUSTOMERS  
ARE,

20 SHARE THE EQUIPMENT, SHARE THE COST, DO ALL THOSE  
21 THINGS, AND AT THAT -- AND THE RESULT OF THAT IS

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22        THOSE OPERATORS THAT SPEND THE TIME AND EFFORT TO  
23        HAVE A MARKETABLE PRODUCT THAT HAS HIGH INTEGRITY  
24        GETS COMMINGLED WITH AN OPERATOR THAT PUTS ZERO  
25        EFFORT INTO IT, THEREBY BRINGING HIS VALUE UP,  
AND

1 THE GOOD GUY'S VALUE DOWN. AND I THINK IF, IN  
2 FACT, THAT DOES NOT ALLUDE TO THAT, THEN I DON'T  
3 HAVE A PROBLEM WITH IT; BUT IF IT DOES, THEN I'VE  
4 GOT A REAL PROBLEM WITH THAT TYPE OF AN AMENDMENT.

5 BOARD MEMBER CHESBRO: REGIONAL WAS NOT  
6 INTENDED TO BE THE OPERATIVE WORD IN WHAT I  
7 SUGGESTED -- WHAT I HAVE SUGGESTED BY WAY OF THIS  
8 AMENDMENT. THE OPERATIVE ISSUE IS THE FACT THAT  
9 THE EFFICIENT AND COST-EFFECTIVE COLLECTION OF  
10 MATERIALS IS ALSO CRITICAL TO MARKETS. AND THAT  
11 WAS THE ISSUE. IT WASN'T WHETHER IT WAS DONE  
12 REGIONALLY OR BY A PRIVATE OR BY A PUBLIC OR  
13 HOW -- OTHER THAN THE FACT THAT IT'S IMPORTANT TO  
14 GET GOOD, HIGH QUALITY, COST-EFFECTIVE MATERIALS  
15 TO MARKET. THAT'S PART OF MARKET DEVELOPMENT.  
16 IT'S JUST AN ACKNOWLEDGMENT IN THE INTENT LANGUAGE  
17 WAS ALL THAT WE WERE --

18 BOARD MEMBER JONES: AND I DON'T HAVE A  
19 PROBLEM WITH THAT AS LONG AS WE'RE NOT MANDATING  
20 THAT THESE KINDS OF PROGRAMS ARE GOING TO GO  
21 FORWARD BECAUSE, YOU KNOW, LIKE I SAID IN  
22 TESTIMONY THREE YEARS AGO IN FRONT OF YOUR  
23 COMMITTEE, WHEN I RAN NORCAL, I COULDN'T GET MY  
24 OWN COMPANIES TO COOPERATE. YOU KNOW, IT'S VERY  
25 HARD TO, YOU KNOW, TO RELY ON ALL THESE ENTITIES.

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1                   BOARD MEMBER CHESBRO:   SO IF THAT'S CLEAR  
2                   TO STAFF THAT THAT'S WHAT WAS INTENDED.

3                   MS. ZWARTS:   YES, IT IS.

4                   CHAIRMAN PENNINGTON:   NOW WE HAVE DENISE  
5                   DELMATIER WHO WOULD LIKE TO ADDRESS US ON THIS  
6                   ONE.

7                   MS. DELMATIER:   MR. CHAIRMAN, MEMBERS OF  
8                   THE BOARD, DENISE DELMATIER WITH THE GUALCO GROUP  
9                   ON BEHALF OF NORCAL WASTE SYSTEMS.  WE ARE IN  
10                  SUPPORT OF THIS BILL.  WE WERE IN SUPPORT OF THE  
11                  BILL AT LEG. COMMITTEE AS THE BILL IS IN PRINT, SO  
12                  WE ARE PLEASED WITH THE AMENDMENT TO THE LEG.  
13                  COMMITTEE RECOMMENDATIONS THAT WOULD PRESERVE THE  
14                  ABILITY OF CITIES AND COUNTIES TO COME FORWARD TO  
15                  THIS BOARD ON A CASE-BY-CASE BASIS AND REQUEST  
16                  MULTIYEAR EXTENSIONS.

17                  WE ARE ALSO PLEASED AND WANTED TO  
18                  HIGHLIGHT ONE PROVISION OF THE BILL THAT I BELIEVE  
19                  IS COMPLEMENTARY TO THE BILL THAT WE PREVIOUSLY  
20                  DISCUSSED, AB 705, STROM-MARTIN, THAT YOU JUST  
21                  UNANIMOUSLY APPROVED, AND THAT IS WHEN WE  
22                  DISCUSSED 705, WE TALKED ABOUT PROVIDING  
23                  INCENTIVES FOR STATE AGENCIES TO, IN FACT, STEP  
24                  UP  
25                  TO THE PLATE AND PARTICIPATE IN THE DIVERSION  
                  PROGRAMS.  THIS BILL COMPLEMENTS AB 705 IN THAT

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IF

1 A STATE AGENCY DOES NOT STEP UP TO THE PLATE AND,  
2 IN FACT, REFUSES TO PARTICIPATE IN THE DIVERSION  
3 PROGRAMS, THEN THE CITY OR COUNTY IS NOT STUCK  
4 WITH THAT LIABILITY AND HAS THE ABILITY THEN TO  
5 BACK OUT OF THEIR GENERATION NUMBERS THE STATE  
6 AGENCY'S WASTESTREAM. SO IN THAT REGARD, THESE  
7 BILLS ARE COMPLEMENTARY, 705 AND 1066, AND WE  
8 WOULD ENCOURAGE THE BOARD'S SUPPORT.

9 CHAIRMAN PENNINGTON: THANK YOU. ANY  
10 QUESTIONS OF MS. DELMATIER? IF NOT, EVAN EDGAR.

11 MR. EDGAR: GOOD AFTERNOON. MY NAME IS  
12 EVAN EDGAR, MANAGER OF REGULATORY AFFAIRS FOR THE  
13 CALIFORNIA REFUSE REMOVAL COUNCIL. WE HAVE ALWAYS  
14 BEEN A STRONG SUPPORTER OF THE 50-PERCENT MANDATE.  
15 AND WHAT THIS BILL DOES, SB 1066, IS MAINTAINS  
16 THAT MANDATE.

17 WE HAVE CONCEPTUAL SUPPORT OF  
18 SB 1066. TOMORROW OUR STATE EXEC MEETING WILL  
19 OCCUR WHERE WE WILL BE TAKING AN OFFICIAL POSITION  
20 AND WRITE A LETTER. I JUST WANTED TO MAKE SURE  
21 THAT THIS BOARD WAS AWARE OF THE FACT THAT WE ARE  
22 IN CONCEPTUAL SUPPORT OF SB 1066.

23 WHAT IT DOES, IT REALLY TAKES A GOOD  
24 FAITH EFFORT THAT WE WORKED ON IN 1995 AND PUTS  
25 THAT INTO SB 1066. IT ADDRESSES THE STATE



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1 FACILITIES ISSUE THAT WAS EXPRESSED BY MS.  
2 DELMATIER, PLUS IT ADDS A PROCESS, A PROCESS WHERE  
3 IF PEOPLE DO GET A CASE-BY-CASE BASIS, LIKE THE  
4 RURALS GOT WITH AB 688 A COUPLE YEARS AGO, THAT  
5 PROCESS IS IN PLACE WHERE YOU DO HAVE SOME  
6 COMMUNITIES THAT MAY NOT BE ABLE TO HIT 50 PERCENT  
7 AND THEY HAVE A PROCESS AFTER THE EXTENSION,  
8 ADJUSTMENTS, GOOD FAITH EFFORTS WHERE THEY CAN GET  
9 SOME TYPE OF RELIEF OR WE'LL NOT BE ABLE TO HIT  
10 50-PERCENT MANDATE. BUT WE HIGHLY SUPPORT THE  
11 CONCEPT OF THE MANDATE, AND THIS MAINTAINS THE  
12 MANDATE, SO WE URGE YOUR SUPPORT TODAY. THANK  
13 YOU.

14 CHAIRMAN PENNINGTON: ANY QUESTIONS OF  
15 MR. EDGAR? IF NOT, I THINK WE HAVE A MOTION ON  
16 THE FLOOR, IS THAT CORRECT, TO SUPPORT IF AMENDED.  
17 IF THERE'S NO FURTHER DISCUSSION, WILL THE  
18 SECRETARY CALL THE ROLL.

19 BOARD SECRETARY: BOARD MEMBER CHESBRO.

20 BOARD MEMBER CHESBRO: AYE.

21 BOARD SECRETARY: FRAZEE.

22 BOARD MEMBER FRAZEE:

AYE.

23 BOARD SECRETARY: GOTCH.

24 BOARD MEMBER GOTCH: AYE.

25 BOARD SECRETARY: JONES.

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1 BOARD MEMBER JONES: AYE.

2 BOARD SECRETARY: RELIS.

3 BOARD MEMBER RELIS: AYE.

4 BOARD SECRETARY: CHAIRMAN PENNINGTON.

5 CHAIRMAN PENNINGTON: AYE. MOTION

6 CARRIES.

7 ITEM 13(H), CONSIDERATION OF STATE  
8 LEGISLATION, SB 1113, SOLIS, ENVIRONMENTAL EQUITY,  
9 CEQA.

10 MS. ZWARTS: THIS BILL IS SPONSORED BY  
11 THE AUTHOR. IT'S SET TO BE HEARD IN THE ASSEMBLY  
12 LOCAL GOVERNMENT COMMITTEE ON MONDAY, JUNE 30TH.  
13 THIS BILL WILL REQUIRE THE OFFICE OF PLANNING AND  
14 RESEARCH BY THE YEAR 2000 TO RECOMMEND CHANGES TO  
15 CEQA GUIDELINES, PROVIDE FOR IDENTIFICATION AND  
16 MITIGATION BY PUBLIC AGENCIES TO DISPROPOR-  
17 TIONATELY HIGH AND ADVERSE ENVIRONMENTAL IMPACTS  
18 ON PROJECTS ON MINORITY POPULATIONS AND LOW  
INCOME  
19 POPULATIONS.

20 THIS BILL IS A LOT LIKE 451. THIS  
21 ONE DEALS WITH CEQA; THE OTHER ONE DEALS WITH  
22 GENERAL PLANS. THIS BILL WOULD HAVE A MINOR  
23 ABSORBAL FISCAL IMPACT ON THE BOARD, AND STAFF  
ARE  
24 SUGGESTING AMENDMENTS. THE COMMITTEE'S

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25 RECOMMENDATION ON THIS BILL WAS SUPPORT TWO TO

1 ONE.

2 CHAIRMAN PENNINGTON: OKAY. I THINK --

3 MEMBER GOTCH: WE HAVE ANY SPEAKERS?

4 CHAIRMAN PENNINGTON: -- WE'VE HAD A  
5 PRETTY GOOD --

6 BOARD MEMBER GOTCH: DO WE HAVE ANY  
7 SPEAKERS?

8 CHAIRMAN PENNINGTON: DENISE WANTS TO  
9 SPEAK ON THIS.

10 MS. DELMATIER: NOT NECESSARY.

11 CHAIRMAN PENNINGTON: NOT NECESSARY.

12 OKAY. WE'VE DISCUSSED THIS PRETTY HEAVILY, SO I  
13 THINK THAT I'LL MAKE THE MOTION THAT WE DEFER THIS  
14 ONE BACK TO COMMITTEE AND TO THE BOARD NEXT MONTH  
15 AS WELL.

16 BOARD MEMBER CHESBRO: FOR ALL THE  
17 PREVIOUSLY STATED REASONS, I WOULD SUPPORT A  
18 MOTION TODAY TO SUPPORT THIS BILL AND OPPOSE THIS  
19 MOTION FOR THAT REASON.

20 BOARD MEMBER GOTCH: AS WOULD I.

21 CHAIRMAN PENNINGTON: OKAY. I NEED A  
22 SECOND.

23 BOARD MEMBER FRAZEE: I'LL SECOND.

24 CHAIRMAN PENNINGTON: IF THERE'S NO  
25 FURTHER DISCUSSION, WILL THE SECRETARY CALL THE

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1       ROLL.

2               BOARD MEMBER JONES:   WE'RE GOING ON THE  
3       SUBSTITUTE.

4               CHAIRMAN PENNINGTON:   MY MAIN MOTION THAT  
5       SAYS THAT WE DEFER THIS BACK TO COMMITTEE AND THE  
6       FULL BOARD NEXT MONTH.

7               BOARD MEMBER CHESBRO:   JUST TO ELONGATE  
8       THINGS A LITTLE BIT, I WILL MAKE A SUBSTITUTE  
9       MOTION THAT THE BOARD TAKE A SUPPORT POSITION  
10      TODAY.

11              BOARD MEMBER GOTCH:   AND I'LL SECOND.

12              CHAIRMAN PENNINGTON:   OKAY.   IF THERE'S  
13      NO FURTHER DISCUSSION, WILL THE SECRETARY CALL THE  
14      ROLL ON THE SUBSTITUTE MOTION.

15              BOARD SECRETARY:   BOARD MEMBER CHESBRO.

16              BOARD MEMBER CHESBRO:   AYE.

17              BOARD SECRETARY:   FRAZEE.

18              BOARD MEMBER FRAZEE:   NO.

19              BOARD SECRETARY:   GOTCH.

20              BOARD MEMBER GOTCH:   AYE.

21              BOARD SECRETARY:   JONES.

22              BOARD MEMBER JONES:   NO.

23              BOARD SECRETARY:   RELIS.

24              BOARD MEMBER RELIS:   NO.

25              BOARD SECRETARY:   CHAIRMAN PENNINGTON.



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1                   CHAIRMAN PENNINGTON:  NO.

2                   BOARD SECRETARY:  I'M SORRY.  CHAIRMAN  
3                   PENNINGTON.

4                   CHAIRMAN PENNINGTON:  THAT'S ALL RIGHT.  
5                   I KNOW WHO I AM.

6                   THE MOTION FAILS.  SECRETARY WILL  
7                   CALL THE ROLL ON THE MAIN MOTION.

8                   BOARD SECRETARY:  BOARD MEMBER CHESBRO.

9                   BOARD MEMBER CHESBRO:  NO.

10                  BOARD SECRETARY:  FRAZEE.

11                  BOARD MEMBER FRAZEE:  AYE.

12                  BOARD SECRETARY:  GOTCH.

13                  BOARD MEMBER GOTCH:  NO.

14                  BOARD SECRETARY:  JONES.

15                  BOARD MEMBER JONES:  AYE.

16                  BOARD SECRETARY:  RELIS.

17                  BOARD MEMBER RELIS:  AYE.

18                  BOARD SECRETARY:  CHAIRMAN PENNINGTON.

19                  CHAIRMAN PENNINGTON:  AYE.  MOTION  
20                  CARRIES.  I BELIEVE THAT COMPLETES THAT ITEM.

21                  MS. ZWARTS:  THE STAFF ALSO CONNECT THE  
22                  AUTHOR'S OFFICE AND SEE IF THERE'S ANY ADDITIONAL  
23                  STUDIES THEY'LL PROVIDE THE BOARD ON.  THIS IS THE  
24                  LAST BILL AND WE'RE ON TO A SHIFONADE KIND OF DAY.

25                  CHAIRMAN PENNINGTON:  OKAY.  THANK YOU.

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1 WE'LL TAKE A BREAK NOW UNTIL 2 O'CLOCK AND BE BACK  
2 HERE.

3 BOARD MEMBER CHESBRO: MR. CHAIRMAN.

4 CHAIRMAN PENNINGTON: YES.

5 BOARD MEMBER CHESBRO: BEFORE WE RUN OFF,  
6 IS -- HOW MANY THINGS DO WE HAVE LEFT?

7 CHAIRMAN PENNINGTON: LOOKS LIKE WE HAVE  
8 FOUR ITEMS.

9 BOARD MEMBER CHESBRO: IS THERE FOUR  
10 LEFT? OKAY. WELL, IF THERE WAS ONE, I THOUGHT --  
11 IF THERE'S ONE OR TWO THAT WOULDN'T TAKE A LONG  
12 TIME, IT MIGHT MAKE MORE SENSE --

13 BOARD MEMBER FRAZEE: 48 IS OFF.

14 CHAIRMAN PENNINGTON: OH, I SEE. I'M  
15 SORRY.

16 BOARD MEMBER CHESBRO: I'M JUST ASKING A  
17 QUESTION.

18 CHAIRMAN PENNINGTON: ONE MOMENT HERE.

19 BOARD MEMBER CHESBRO: I HAVE SOME BAGELS  
20 HERE IF ANYONE IS STARVING.

21 BOARD SECRETARY: 49 AND 52.

22 CHAIRMAN PENNINGTON: IS ALL WE HAVE  
23 LEFT?

24 BOARD SECRETARY: AND CLOSED SESSION.

25 CHAIRMAN PENNINGTON: WE ALSO HAD A

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1       CLOSED SESSION, SO WHAT'S THE BOARD'S --

2               BOARD MEMBER CHESBRO: DO WE EXPECT A  
3       LONG CLOSED SESSION? IS THERE ANY SENSE OF HOW  
4       MANY ISSUES?

5               MR. CHANDLER: I'D HAVE TO ASK THE CHAIR.  
6       I DO HAVE TWO PERSONNEL ITEMS, BUT I'D HAVE TO ASK  
7       THE CHAIR IF HE WISHES TO ALSO INCLUDE IN CLOSED  
8       SESSION ANY DISCUSSIONS AROUND PROCEDURAL MATTERS  
9       THAT YOU'VE RAISED TO MY ATTENTION THAT MAY NEED  
10      CLARIFICATION WITH REGARD TO TOMORROW'S HEARING.  
11      IF THAT IS TO BE --

12              BOARD MEMBER CHESBRO: I GUESS IF WE'RE  
13      GOING TO HAVE A LONG CLOSED SESSION ANYWAY, I'LL  
14      GO BACK TO -- MAYBE GO BACK TO SHOULD TAKE LUNCH.

15              CHAIRMAN PENNINGTON: LET'S DO THAT.  
16      WE'LL COME BACK AT 2 O'CLOCK.

17                      (RECESS TAKEN AT 12:38 P.M.)

18              CHAIRMAN PENNINGTON: CAN WE COME BACK  
19      FOR OUR AFTERNOON SESSION NOW. WE WILL START WITH  
20      ITEM 49, I BELIEVE, CONSIDERATION OF DELEGATION OF  
21      AUTHORITY TO THE EXECUTIVE DIRECTOR TO AUTHORIZE  
22      ASBESTOS-CONTAINING WASTE PROGRAMS AND DISCUSSION  
23      OF AUTHORIZATION TO LOCAL ENFORCEMENT AGENCIES TO  
24      ENFORCE STANDARDS FOR HANDLING AND DISPOSAL OF  
25      ASBESTOS-CONTAINING WASTE FACILITIES.

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1 MS. RICE: QUITE A TITLE. MR. CHAIRMAN,  
2 MEMBERS, I WOULD LIKE SUE HAPPERSBERGER TO MAKE A  
3 BRIEF STAFF PRESENTATION ON THIS ITEM. THANK YOU.

4 MS. HAPPERSBERGER: GOOD AFTERNOON, MR.  
5 CHAIRMAN, BOARD MEMBERS. MY NAME IS SUE  
6 HAPPERSBERGER OF THE BOARD'S ENFORCEMENT BRANCH.

7 THE PURPOSE OF THIS AGENDA ITEM IS  
8 TO REQUEST DELEGATION OF AUTHORITY TO THE  
9 EXECUTIVE DIRECTOR FOR AUTHORIZATION OF INDIVIDUAL  
10 LEA ASBESTOS PROGRAMS. THIS AGENDA ITEM IS A  
11 FOLLOW-UP TO THE ASBESTOS REGULATIONS ADOPTED BY  
12 THE BOARD SIX MONTHS AGO, WHICH REQUIRE LEA'S  
13 WISHING TO ENFORCE ASBESTOS STANDARDS TO FILE AN  
14 APPLICATION FOR AUTHORIZATION WITH THE P&E DEPUTY  
15 DIRECTOR.

16 THE REGULATIONS ALSO SPELL OUT THE  
17 REQUIREMENTS WHICH AN LEA, WISHING TO ENFORCE  
18 ASBESTOS REGULATIONS, MUST MEET. AN LEA WISHING  
19 TO ENFORCE THE ACW REGULATIONS MUST BE PROPERLY  
20 CERTIFIED BY THE BOARD, EQUIPPED, AND HAVE  
21 APPROPRIATE TRAINING. THE REGULATIONS ALSO STATE  
22 THAT THE BOARD GRANTS THE NECESSARY AUTHORITY TO  
23 LEA'S TO ENFORCE ASBESTOS REQUIREMENTS. HOWEVER,  
24 STATUTE ALSO ALLOWS THE BOARD TO DELEGATE SPECIFIC  
25 DUTIES AND RESPONSIBILITIES TO THE EXECUTIVE



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1 DIRECTOR. THEREFORE, AUTHORIZATION OF LOCAL  
2 ASBESTOS ENFORCEMENT PROGRAMS CAN BE DELEGATED BY  
3 THE BOARD TO THE EXECUTIVE DIRECTOR AND WOULD  
4 STREAMLINE AND EXPEDITE THE AUTHORIZATION PROCESS.

5 STAFF HAS PREPARED A DRAFT ADVISORY  
6 THAT GOES ALONG WITH THIS AGENDA ITEM. IT  
7 CONTAINS A ONE-PAGE APPLICATION FORM THAT AN LEA  
8 WISHING TO ENFORCE THE ASBESTOS REGULATIONS WILL  
9 NEED TO FILL OUT AND FILE WITH THE P&E DEPUTY  
10 DIRECTOR BETWEEN NOW AND NOVEMBER '97. ONCE THIS  
11 APPLICATION FORM IS RECEIVED BY THE P&E DEPUTY  
12 DIRECTOR, STAFF WILL REVIEW IT TO INSURE IT MEETS  
13 THE REQUIREMENTS SPELLED OUT IN REGULATIONS AND  
14 PREPARE A LETTER FOR THE DIRECTOR'S SIGNATURE,  
15 NOTIFYING THE APPLICANT OF THE DECISION REGARDING  
16 AUTHORIZATION TO ENFORCE THE ASBESTOS REGULATIONS.

17 IN CONCLUSION, THE FOLLOWING THREE  
18 OPTIONS ARE PRESENTED TO THE BOARD. THE BOARD MAY  
19 APPROVE STAFF'S REQUEST FOR DELEGATION TO THE  
20 EXECUTIVE DIRECTOR FOR GRANTING PROVISIONAL AND  
21 FULL AUTHORIZATION TO LEA'S TO ENFORCE STANDARDS  
22 FOR THE HANDLING AND DISPOSAL OF ASBESTOS-  
23 CONTAINING WASTE.

24 TWO, THE BOARD MAY APPROVE  
25 DELEGATION TO THE EXECUTIVE DIRECTOR FOR GRANTING

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1       ONLY PROVISIONAL AUTHORIZATION TO LEA'S TO ENFORCE  
2       STANDARDS FOR HANDLING AND DISPOSAL OF ASBESTOS.

3                   AND, THREE, THE BOARD MAY CHOOSE NOT  
4       TO DELEGATE THIS AUTHORITY.

5                   STAFF RECOMMENDS OPTION 1 AND  
6       ADOPTION OF RESOLUTION 97-271, APPROVING THE  
7       DELEGATION OF AUTHORITY REQUEST TO THE P&E DEPUTY  
8       DIRECTOR FOR GRANTING -- I'M SORRY -- TO THE  
9       EXECUTIVE DIRECTOR FOR GRANTING PROVISIONAL AND  
10      FULL AUTHORIZATION TO LEA'S TO ENFORCE THE  
11      STANDARDS FOR HANDLING AND DISPOSAL OF ASBESTOS.

12                   THIS CONCLUDES MY PRESENTATION. IF  
13      YOU HAVE ANY QUESTIONS, I'D BE HAPPY TO ANSWER  
14      THEM FOR YOU.

15                   CHAIRMAN PENNINGTON: OKAY. ANY  
16      QUESTIONS? OKAY. THANK YOU.

17                   NOW WE HAVE MR. EVAN EDGAR. EVAN, I  
18      ALSO HAVE YOUR SPEECH HERE IF YOU --

19                   MR. EDGAR: THAT WAS MY OTHER SPEECH.

20                   CHAIRMAN PENNINGTON: THAT'S YOUR OTHER  
21      SPEECH. OKAY. JUST IN CASE YOU NEEDED IT.

22                   BOARD MEMBER JONES: MR. CHAIRMAN.

23                   CHAIRMAN PENNINGTON: YES.

24                   BOARD MEMBER JONES: IT WASN'T REGARDING  
25      THIS, BUT I HAD TWO EX PARTES. ONE OF THEM WAS

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1 WITH MR. EDGAR, SO I JUST WANTED TO -- WE DIDN'T  
2 TALK ABOUT THIS REG PACKAGE, BUT I DID WANT TO --

3 BOARD MEMBER CHESBRO: AND WHILE WE'RE ON  
4 EX PARTES, LET ME BE THE FIRST ONE TO EX PARTE A  
5 CONVERSATION WITH FORMER BOARD MEMBER EGIGIAN. HE  
6 DIDN'T ACTUALLY ASK ME TO DO ANYTHING, BUT HE DID  
7 WANT TO POINT OUT THAT HE'S NOW LEGALLY FREE TO  
8 HAVE AN EX PARTE COMMUNICATION WITH US.

9 BOARD MEMBER JONES: EVAN, YOU'RE GOING  
10 TO HAVE TO WAIT.

11 BOARD MEMBER CHESBRO: SO LET ME BE THE  
12 FIRST.

13 BOARD MEMBER EGIGIAN: SETTING YOU UP.

14 CHAIRMAN PENNINGTON: NOT YOU, SAM. YOU  
15 WOULDN'T SET ANYBODY UP.

16 BOARD MEMBER GOTCH: MR. CHAIR, I SHOULD  
17 BE THE SECOND THEN.

18 BOARD MEMBER JONES: I ALSO SPOKE WITH  
19 MR. EGIGIAN, WITH MICHAEL GERSICK, AND WITH MR.  
20 EVAN EDGAR.

21 BOARD MEMBER RELIS: WITH MR. EGIGIAN,  
22 MENTION WAS MADE OF A PROJECT, A FIVE-YEAR UPDATE,  
23 COMING DOWN THE LINE FOR A PROJECT IN SANTA  
24 MONICA, WHICH I CANNOT REMEMBER THE NAME OF, BUT  
25 WE TOOK IT UP FIVE YEARS AGO.

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1                   CHAIRMAN PENNINGTON:    OKAY.    ANY OTHERS?

2           I'M SORRY, EVAN.

3                   BOARD MEMBER FRAZEE:    I TALKED TO MY  
4           WIFE.

5                   CHAIRMAN PENNINGTON:    I'M HOPING WE DON'T  
6           HAVE TO EX PARTE THOSE BECAUSE I'D BE IN A HEAP OF  
7           TROUBLE.    I'LL TELL YOU.    OKAY.

8                   MR. EDGAR:    THANK YOU.    GOOD AFTERNOON,  
9           CHAIRMAN AND BOARD MEMBERS.    MY NAME IS EVAN  
10          EDGAR.    I'M THE DIRECTOR OF REGULATORY AFFAIRS FOR  
11          THE CALIFORNIA REFUSE REMOVAL COUNCIL.

12                   TODAY'S PACKAGE IS WELL DONE.    WE  
13          COMMEND THE WASTE BOARD STAFF WHO PUT TOGETHER THE  
14          ASBESTOS-CONTAINING WASTE PACKAGE.    HAS A LOT OF  
15          GOOD INFORMATION IN THERE FROM A DRAFT LEA  
16          ADVISORY, WHICH YOU HAVE ALWAYS SUPPORTED, TO  
17          HAVING MANAGEMENT STANDARDS FOR HANDLING AND  
18          DISPOSAL OF ACW, ASBESTOS-CONTAINING WASTE.

19                   A LOT OF PEOPLE DON'T UNDERSTAND  
20          THAT ASBESTOS-CONTAINING WASTE IS A HAZARDOUS  
21          WASTE.    WE CAN MANAGE HAZARDOUS WASTE AT  
22          LANDFILLS

23          WHERE THERE'S NOT WATER QUALITY CONCERNS WITH  
24          MANAGEMENT STANDARDS.    THE REASON WHY THAT IS  
25          SO

26          IMPORTANT AND WHAT IS SO IMPORTANT ABOUT THIS



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25        PACKAGE IS THAT IT COULD BE OF THINGS TO COME  
IN

1 THE FUTURE WITH REGARDS TO WHAT'S GOING ON WITH  
2 THE WASTE CLASSIFICATION IN CALIFORNIA.

3 I SPOKE AT THE OTHER 50 PERCENT  
4 STRATEGIC PLANNING DURING THE PERMITTING AND  
5 ENFORCEMENT COMMITTEE ABOUT A FEW MONTHS AGO ABOUT  
6 THE OTHER 50 PERCENT AND WASTE CLASSIFICATION.  
7 WHAT'S IMPORTANT TO THIS INDUSTRY, THE SOLID WASTE  
8 INDUSTRY, IS THE FACT THAT WE HAVE A LOT OF  
9 REGULATIONS THAT HAVE BEEN AROUND FOR 10 TO 15  
10 YEARS IS UNDER FLUX RIGHT NOW. WE HAVE A SEA OF  
11 CHANGE. IT'S A CORE ISSUE TO THIS SOLID WASTE  
12 INDUSTRY ABOUT WASTE CLASSIFICATION.

13 ON A BIGGER PICTURE, AS I MENTIONED  
14 BEFORE, IS A REGULATORY STRUCTURAL UPDATE AT THE  
15 DEPARTMENT OF TOXIC SUBSTANCE CONTROL. WHAT  
16 THEY'RE LOOKING AT FOR THE LAST YEAR AND A HALF IS  
17 HOW TO GO FROM A SYSTEM WHERE -- WELL, IT'S VERY  
18 CONFUSING. THERE'S VERY LITTLE CLARITY. BUT  
19 THEY'RE TRYING TO GET FROM A SYSTEM THAT ADDS  
20 STREAMLINING. AND THE GENERAL PUBLIC THINKS  
21 THEY'RE DUMPING HAZARDOUS WASTE ON CLASS III  
22 LANDFILLS. THAT'S THE PERCEPTION. THAT  
NEGATIVE

23 PERCEPTION HAS ENDED UP AT THIS WASTE BOARD ON  
24 DIFFERENT PERMITS OVER THE LAST FEW MONTHS, AND  
25 THAT NEGATIVE PERCEPTION IS DAMAGING TO THE

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SOLID

1 WASTE INDUSTRY BECAUSE THAT IS NOT HAPPENING.

2 WHAT IS HAPPENING, THE DEPARTMENT  
3 HEAD OF DTSC, JESS HUFF, WHO KNOWS THE IMPLICA-  
4 TIONS, IS TRYING TO REINVENT THE WAY THAT WE  
5 CLASSIFY WASTE. HE'S TRYING TO CALL IT DIFFERENT  
6 THINGS FROM LOWER TIER HAZARDOUS WASTE TO MANAGED  
7 INDUSTRIAL WASTE. AND IT'S REALLY IN A STATE OF  
8 CONFUSION RIGHT NOW.

9 THE SOLID WASTE INDUSTRY AS A WHOLE  
10 HAS A PROTEST LETTER INTO DEPARTMENT HEAD JESS  
11 HUFF ABOUT WHAT HE'S TRYING TO DO OVER THERE AND  
12 WHAT IMPLICATIONS IT COULD HAVE TO THE SOLID  
WASTE  
13 INDUSTRY. WE'RE MEETING WITH JESS HUFF NEXT  
14 THURSDAY IN ORDER TO FURTHER DISCUSS WHAT'S  
GOING  
15 ON WITH THE DTSC PROPOSAL.

16 WHAT COULD HAPPEN OUT OF THIS,  
THERE  
17 WILL BE SOME DELISTING OF HAZARDOUS WASTE. THIS  
18 HAZARDOUS LIST WILL BE COMING TO SUBTITLE D  
19 LANDFILLS THAT HAVE A COMPOSITE LINER. SO WITH  
20 REGARDS TO WATER QUALITY CONCERNS, IT'S NOT A  
21 WATER QUALITY ISSUE, BUT IT MAY BE WITH REGARDS  
TO  
22 PUBLIC HEALTH AND SAFETY, DUST, ETC.

23 SO WHAT YOU DO WITH THIS PACKAGE  
24 WITH ACW WAS ABLE TO ADDRESS THE PUBLIC HEALTH  
AND  
25 SAFETY ISSUES THAT COULD OCCUR AT THE ACTIVE  
FACE

1 OF THE LANDFILL WHERE THERE ARE NO WATER QUALITY  
2 IMPACTS WHERE THIS WASTE COULD BE ACCEPTED WITH  
3 CERTAIN MANAGEMENT STANDARDS FOR THIS UPCOMING  
4 LOWER TIER HAZARDOUS WASTE.

5 IN THE PAST WE CALL IT DESIGNATED  
6 WASTE. THIS IS A TERM THAT YOU GUYS ARE USED TO  
7 IN A CLASS II WORLD, CLASS III WORLD WHERE IT'S  
8 CALLED DESIGNATED WASTE. HOWEVER, THE WASTE  
9 BOARD -- I MEAN WATER BOARD IS GETTING RID OF THE  
10 CLASS II DESIGNATED WASTE AS WE MOVE FROM A CLASS  
11 I, II, AND III WORLD AT THE WATER BOARD TO MOVE  
12 INTO A SUBTITLE C AND SUBTITLE D WORLD. SO THE  
13 WHOLE CONCEPT OF DESIGNATED WASTE IS DISAPPEARING  
14 IN FAVOR OF A LOWER TIER HAZARDOUS WASTE.

15 SO WHAT THE WASTE BOARD IS IN IS IN  
16 A REACTIVE POSITION. WITH ALL THIS CHANGE AT DTSC  
17 AND WATER BOARD, IT LEAVES THIS WASTE BOARD IN A  
18 REACTIVE POSITION AND WHAT TO DO WHEN THESE  
19 SPECIAL WASTESTREAMS OR DESIGNATED WASTESTREAMS  
20 COME TO A SUBTITLE D LANDFILL.

21 WHAT YOU HAVE IN FRONT OF YOU TODAY  
22 IS A GREAT EXAMPLE OF WHAT A TYPICAL MANAGEMENT  
23 STANDARD COULD BE WHERE WE PROTECT THE PUBLIC  
24 HEALTH AND SAFETY AND THE ENVIRONMENT WHERE WE CAN  
25 TAKE HAZARDOUS WASTE, SPECIAL WASTE, DESIGNATED

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1 WASTE, MANAGE IT IN A WAY WHERE THERE'S NO WATER  
2 QUALITY IMPACTS AND YET WE MANAGE IT SO THAT  
3 THERE'S NO PUBLIC HEALTH OR RISK TO THE  
4 ENVIRONMENT OR TO THE PEOPLE.

5 SO THAT'S WHY I SUPPORT THIS PACKAGE  
6 TODAY. I'LL BE USING THIS AS AN EXAMPLE WITH MR.  
7 HUFF AND OTHER PEOPLE, THAT WE CAN HAVE MANAGEMENT  
8 STANDARDS AT THE WASTE BOARD THAT ACCOMMODATE A  
9 LOT OF CONCERNS THAT PEOPLE MAY HAVE. SO I  
10 COMMEND THE WASTE BOARD STAFF ON THIS PACKAGE WITH  
11 GETTING THIS INFORMATION OUT AND THE MANAGEMENT  
12 STANDARDS AND THE LEA ADVISORY. AND WE'RE GOING  
13 TO BE KEEPING TABS ON THE DTSC AND THE WATER BOARD  
14 OVER THE NEXT YEAR, YEAR AND A HALF. AND A LOT OF  
15 THIS STUFF COULD FALL IN YOUR LAPS, SO WE WANT TO  
16 MAKE SURE THAT YOU FULLY UNDERSTAND WHAT IS  
17 HAPPENING TODAY WITH THIS ACW BECAUSE IT COULD  
18 HAPPEN IN FUTURE WITH OTHER SPECIAL WASTESTREAMS.  
19 THANK YOU.

20 CHAIRMAN PENNINGTON: THANK YOU. ANY  
21 QUESTIONS OF MR. EDGAR? THANK YOU.

22 BOARD MEMBER JONES: NO QUESTIONS, MR.  
23 CHAIR. I'D LIKE TO MAKE A MOTION, BUT I WOULD  
24 LIKE TO -- WHEN THIS -- WHEN I WAS BEING ADVISED  
25 ON THIS ITEM, I THINK THAT MR. EDGAR BRINGS UP A



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1       GOOD POINT ABOUT WHAT'S GOING TO HAPPEN WITH THIS  
2       DECLASSIFICATION OR THOSE TYPES OF ISSUES BECAUSE  
3       BEFORE THERE WERE REGS ON HOW TO DEAL WITH WASTE  
4       CONTAINING ASBESTOS, ONE OF MY -- ONE OF THE  
5       LANDFILLS I RAN HAD, WHICH WAS PERMITTED TO ACCEPT  
6       ASBESTOS, HAD GOTTEN NOTICE FROM THE WASTE BOARD  
7       THAT WHEN THEY WERE GOING TO COME OUT AND DO AN  
8       INSPECTION, OR THE LEA WAS, WE HAD TO CEASE  
9       ACCEPTING ASBESTOS FOR TWO DAYS.  AND THEY CAME  
10      OUT IN T-VECS TO DO A SITE INSPECTION BECAUSE  
11      THERE WEREN'T ANY REGS IN PLACE.

12                       MEANWHILE THE WAY ASBESTOS IS DEALT  
13      WITH, YOU KNOW, IT'S DOUBLE BAGGED, IT'S WETTED  
14      DOWN, IT'S PUT INTO A SEPARATE AREA.  I WAS  
15      GETTING NERVOUS BECAUSE I'M THINKING, GOD, IF THE  
16      WASTE BOARD WON'T COME IN AND INSPECT, WHAT ARE  
17      WE  
18      DOING TO OUR EMPLOYEES.  YOU KNOW, WE'VE GOT AIR  
19      MONITORS AND EVERYTHING GOING OUT THERE LOOKING  
20      FOR ANYTHING FRIABLE.

21                       IT WAS STRICTLY PROCEDURAL BECAUSE  
22      THERE WERE NO REGULATIONS IN PLACE.  AND I THINK  
23      THAT THIS IS -- THE BIGGEST PART OF WHAT MR.

EDGAR

23      SAYS, I THINK, IS VERY IMPORTANT, THAT AS THESE

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24        THINGS GET DELISTED, WE HAVE SOMETHING THAT WE

CAN

25        WORK OFF OF. WE HAVE A GOOD DOCUMENT THAT WE CAN

1 TAKE, YOU KNOW, KEEP WORKING WITH THESE DIFFERENT  
2 DESIGNATED WASTES.

3 SO I WANT TO MAKE A MOTION TO ADOPT  
4 RESOLUTION 97-271, WHICH DELEGATES THE AUTHORITY  
5 TO THE EXECUTIVE DIRECTOR TO AUTHORIZE LOCAL  
6 ENFORCEMENT AGENCIES TO ENFORCE STANDARDS FOR  
7 HANDLING AND DISPOSAL OF ASBESTOS-CONTAINING  
8 WASTE.

9 BOARD MEMBER FRAZEE: SECOND.

10 CHAIRMAN PENNINGTON: OKAY. IT'S BEEN  
11 MOVED AND SECONDED. ANY FURTHER DISCUSSION? IF  
12 NOT, WILL THE SECRETARY CALL THE ROLL.

13 BOARD SECRETARY: BOARD MEMBER CHESBRO.

14 BOARD MEMBER CHESBRO: AYE.

15 BOARD SECRETARY: FRAZEE.

16 BOARD MEMBER FRAZEE: AYE.

17 BOARD SECRETARY: GOTCH.

18 BOARD MEMBER GOTCH: AYE.

19 BOARD SECRETARY: JONES.

20 BOARD MEMBER JONES: AYE.

21 BOARD SECRETARY: RELIS.

22 BOARD MEMBER RELIS: AYE.

23 BOARD SECRETARY: CHAIRMAN PENNINGTON.

24 CHAIRMAN PENNINGTON: AYE. MOTION  
25 CARRIES.

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1                   WE'LL MOVE TO ITEM 52, CONSIDERATION  
2       OF A NEW MAJOR WASTE TIRE FACILITY PERMIT FOR  
3       MODESTO ENERGY LIMITED PARTNERSHIP, MELP, IN  
4       STANISLAUS COUNTY.   MR. CHANDLER.

5                   MR. CHANDLER:   THANK YOU, MR. CHAIRMAN  
6       AND MEMBERS.   MY REPORT ON THIS ITEM IS GOING TO  
7       BE MUCH LIKE MY REPORT LAST MONTH.   AND FOR THE  
8       RECORD, LET ME JUST GO THROUGH THE HISTORY.   I  
9       THINK THE ITEM DOES A GOOD JOB.

10                   IF YOU RECALL, BACK IN MARCH AT OUR  
11       P&E COMMITTEE MEETING, STAFF ACKNOWLEDGED AN  
12       APPLICATION FOR A MAJOR WASTE TIRE FACILITY PERMIT  
13       AT THE DELIVERY PAD AREA FOR THE MODESTO ENERGY  
14       LIMITED PARTNERSHIP'S ELECTRICAL GENERATING  
15       FACILITY.   WE DETERMINED THAT IT WAS COMPLETE, AND  
16       IT WENT TO THE FULL BOARD AT THE MARCH MEETING.

17                   YOU, AS A FULL BOARD, WERE SPLIT ON  
18       WHETHER OR NOT WE SHOULD ISSUE THAT PERMIT WITH  
19       THE QUESTION PUT BACK:   ISN'T THERE A LARGER  
20       PUBLIC POLICY QUESTION HERE?   AND FUNDAMENTALLY IS  
21       WHAT ARE WE DOING WITH THE ADJACENT TIRE PILE?  
22       AND ASKED THAT I DIRECT SOME NEGOTIATIONS WITH  
23       MODESTO TO SEE IF WE COULD ENTERTAIN THEM IN  
24       GETTING THAT TIRE PILE REDUCED.

25                   THOSE NEGOTIATIONS ARE STILL UNDER

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1 WAY. I'M CONFIDENT OF THE PROGRESS THAT IS BEING  
2 MADE. AND I KNOW I'VE KEPT ALL OF YOU  
3 INDIVIDUALLY APPRISED OF THAT.

4 THIS ITEM WAS PLACED ON THE AGENDA  
5 IN THE EVENT THAT WE HAD A CONSUMMATED  
6 NEGOTIATIONS AND THAT IT WAS APPROPRIATE TO  
7 CONSIDER BRINGING THE ITEM BACK AND ISSUING THE  
8 PERMIT. I DON'T BELIEVE IT IS TIMELY TO HEAR THIS  
9 PERMIT NOW INASMUCH AS WE'RE STILL ENGAGED IN  
10 THOSE NEGOTIATIONS. SO I WOULD ASK THAT THIS ITEM  
11 SIMPLY BE CARRIED OVER TO NEXT MONTH'S FULL BOARD  
12 MEETING, MR. CHAIRMAN, BUT WOULD ADD IN MY  
13 RECOMMENDATION THAT WE EXTEND THE REMEDIAL ORDER  
14 AN ADDITIONAL 30 DAYS SINCE IT IS DUE TO EXPIRE ON  
15 JUNE 30TH. AND, AGAIN, THE REMEDIAL ORDER, WHICH  
16 YOU'RE ALL AWARE OF, IS AN ORDER THAT BASICALLY  
17 GOVERNS, YOU KNOW, HOW THE WASTE TIRES ARE TO BE  
18 STORED IN A SAFE MANNER IN ACCORDANCE WITH OUR  
19 WASTE TIRE PERMIT REGULATIONS SO THAT ANY TIRES  
20 THAT ARE BROUGHT INTO THAT PAD AREA ARE  
MANAGED IN

21 A WAY CONSISTENT WITH OUR REGULATIONS.

22 SO AGAIN, IN SUMMARY, MY  
23 RECOMMENDATION IS THAT WE DO NOT TAKE  
THIS PERMIT

24 UP TODAY, BUT THAT WE EXTEND THE REMEDIAL



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ORDER 30

25 DAYS, AND THAT THE ITEM BE CALENDARED FOR  
NEXT

1 MONTH AS WELL. IF THERE'S ANY QUESTIONS.

2 CHAIRMAN PENNINGTON: OKAY. ANY  
3 QUESTIONS OF MR. CHANDLER? IF NOT, I THINK --

4 MR. CHANDLER: NO ACTION IS NECESSARY.

5 CHAIRMAN PENNINGTON: -- INSTRUCT HIM TO  
6 BRING IT UP AGAIN NEXT MONTH.

7 MR. CHANDLER: AND I ASSUME WITH THAT  
8 YOU'RE ACCEPTING THE RECOMMENDATION TO EXTEND THE  
9 ORDER 30 DAYS.

10 CHAIRMAN PENNINGTON: CORRECT.

11 MR. CHANDLER: VERY GOOD. THANK YOU.

12 CHAIRMAN PENNINGTON: VERY GOOD. THANK  
13 YOU. THAT CONCLUDES THAT ITEM, AND THAT  
CONCLUDES

14 OUR FORMAL AGENDA. WE HAVE ONE PERSON WHO HAS  
15 ASKED TO ADDRESS US ON OPEN DISCUSSION, MR. LEE  
K.

16 SIGNFUNOD. TRY IT OUT.

17 MS. RICE: I BELIEVE THAT WAS MR.  
18 SHIFONADE, AND HE NEEDED TO LEAVE AT THE LUNCH  
19 BREAK, BUT THANK YOU.

20 CHAIRMAN PENNINGTON: SHIFONADE

21 BOARD MEMBER RELIS: THAT WAS CLOSE.

22 CHAIRMAN PENNINGTON: YOU NEED TO SPELL  
23 THAT?

24 OKAY. THAT CONCLUDES OUR BOARD

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25 MEETING FOR TODAY AND OUR COMEDY HOUR. FOLLOWING

1 WE'LL GO INTO AN EXECUTIVE SESSION UNTIL TOMORROW  
2 AT 9:30 WHEN WE WILL COMPLETE THE AGENDA.  
3  
4 (RECESS AT 2:20 P.M. FOR CLOSED  
5 SESSION UNTIL 9:30 A.M. ON THURSDAY, JUNE 26,  
1997.)

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